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OF

ENGLAND

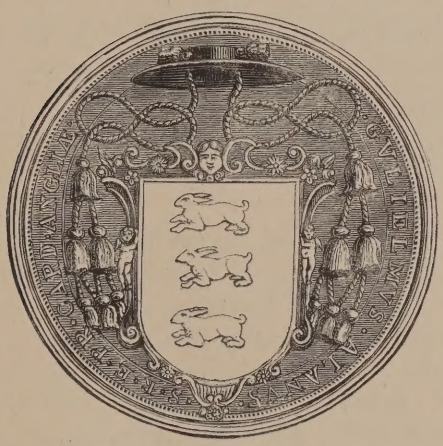
FROM THE COMMENCEMENT OF THE SIXTEENTH CENTURY
TO THE REVOLUTION IN 1688.

With Notes, Additions, and a Continuation

BY

THE REV. M. A. TIERNEY, F.S.A.

VOL. III.



Seal of Cardinal Allen.

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THE

CHURCH HISTORY

OF

ENGLAND.

PART IV.—ELIZABETH.

ARTICLE IV.

PLOTS.—CATHOLICS EXCLUDED FROM THE SCHOOLS AND UNIVERSITIES—COMPELLED TO SEEK AN ASYLUM ABROAD—NOT DISLOYAL—NORTHERN REBELLION—PROGRESS OF THE INSURGENTS—THEY ARE DISPERSED—THEIR PUNISHMENT—CHARACTER OF THE REBELLION—THE BULL "REGNANS IN EXCELSIS"—MISSION OF DR. NICHOLAS MORTON—THE BULL IS MODIFIED—ANSWERS OF CAMPIAN AND OTHER MISSIONARIES—ELIZABETH SEEKS A REVOCATION OF THE BULL—PENAL ENACTMENTS AGAINST CATHOLICS—PRETENDED CONSPIRACY AT RHEIMS—CONSPIRACY OF THROCKMORTON—TREASON AND EXECUTION OF PARRY—NEW ENACTMENTS AGAINST THE CATHOLICS—THEY PETITION THE QUEEN IN VAIN—BABINGTON'S CONSPIRACY—ASSOCIATION AGAINST MARY OF SCOTLAND—THE SPANISH ARMADA—CATHOLICS IMPRISONED—THEIR LOYALTY—IT IS REWARDED WITH RENEWED PERSECUTION—THEIR SUFFERINGS—THE POPE ASSISTS THE SPANIARDS—CARDINAL ALLEN'S "ADMONITION"—THE "SPANISH PARTY"—ITS DESIGNS—PERSONS'S "CONFERENCE ON THE SUCCESSION."

As it is the nature of all plots, when well contrived, to be dark and intricate, so it is necessary for the generality of readers, to be provided with a key, to unlock some secrets; the want whereof would make them incapable of passing a true judgment either of causes, or persons. And first, as to plots in general: some have been pleased to observe, that plots, whether real, or fictitious, are not detrimental to government; but, on the contrary, very useful for many of those purposes, persons are bent upon, who seek after a good establishment in this life. Seditious practices, say they, like cracks in an edifice, have no good aspect; yet they commonly discover the root of the evil, and put the ministry

in the way of securing the government by proper remedies. This is the natural consequence of a real plot. And even when it is all fiction and contrivance, it is attended with several politic advantages. It is a means of making some sort of persons become odious to the generality of the nation: it gives a handle for raising taxes upon a whole nation, but especially upon malecontents and delinquents: it is a plentiful harvest for politicians and avaricious persons, who raise their fortune upon the ruins of those, that are under oppression, and frowned upon by the court. Such sort of sham plots are no new things. They have been set afoot in all reigns: nor can it be denied to have been the case of catholics, in almost every reign, since the beginning of the reformation. Whenever their adversaries were apprehensive of their flourishing, there was commonly some contrivance to blacken them, and weaken their interest. For instances of this kind, the history of our nation affords several very remarkable ones, which I will give an account of, in their proper places. Indeed, the ministry never were at a loss for grounds to build a plot upon; and there wanted nothing but proper witnesses, to apply generals to particulars. The religion they professed was directly contrary to the laws and statutes of the nation. Their foreign education laid them under a suspicion of being in the interest of those princes, who afforded them conveniences. The bishop of Rome's claiming a power to dispense with subjects in their civil allegiance, and putting it in execution in the case of queen Elizabeth;—these, and such like topics, were in the nature of a common-place book, which furnished general heads for a plot, as often as there was a politic necessity to draw a particular plan. It is not my design to make many reflections upon this method of making plots; which I have occasionally done, as facts offered themselves, in the course of this history. I shall only observe in general, that it is wide of good reasoning, to place articles of religion and acts of parliament upon the same foot, and so to mingle causes, as not to distinguish between a rebel, and a martyr. Were the primitive martyrs all guilty of

rebellion, for adhering to the gospel, which was made treason, and capital, by the laws of the empire? Were the reformers, that suffered in queen Mary's reign, all rebels? Did they not all die for disobeying the laws of the nation, then in force against them? Foreign education is no less an inconvenience to catholics, than an eye-sore and ground of suspicion to reformers. But who, and what was it that put them upon the expedient? Did not the reformers exclude them from their schools and universities? And was it not conscience alone that obliged them to embrace that method?[1] Why should a foreign education be more suspected now, than it was in former ages, when Englishmen resided in most of the universities abroad, and were often sent thither, at the

[1] [On the necessity, which drove the exiles to seek a settlement abroad, the reader will not be displeased to meet with the following touching appeal from the pen of cardinal Allen:—

"Thou knowest, good Lord," says he, "how often we have lamented together that, for our sins, we should be constrained to spend either all or most of our serviceable years out of our natural country, to which they are most due, and to which, in all ages past, they should have been grateful: that our offices should be acceptable, and our lives and service agreeable, to strangers, and not to our dearest at home. Thou knowest how earnestly we have together desired thee to incline our prince's heart to admit us to our country, into what state soever, so that we might there, in poverty and penance never so extreme, serve the poor souls to their salvation, voiding our cogitations of all the honours, commodities, preferments, that our forefathers and the realm yielded and gave to such functions; acquitting them, for our own parts, to the present possessioners and incumbents, or to whomsoever God shall permit. Thou knowest how justly we have bewailed our heavy case, that so many strange nations, having their churches, with freedom to serve God after their manner, in our country, only catholics (which, in our fathers' days, had all, and for whom and by whom all churches and christianity arose) can, by no intercession of foreign potentates, nor no sighs nor sorrows of innumerable most loyal subjects, obtain one place in the whole land, to serve their Lord God, after the rites of all other christian princes, priests, and people of the world: that no Jew, no Turk, no Pagan can, by the law of God, nature, or nations, be forced from the manner and persuasion of his own sect and service, to any other, which, by promise or profession, he or his progenitors never received; only we (that neither in our own persons, nor in our forefathers, ever gave consent to any other faith or worship of God, but have, in precise terms, by protestation and promise, bound ourselves in baptism to the religion, faith, and service catholic alone) are, against divine and human laws, and against the protestants' own doctrine in other nations, not only bereaved of our christian due in this behalf, but are forced, by manifold coactions, to those rites, which we never knew, nor gave our assent unto.

"Wherein our grief of heart is much increased, when we look into other states and countries, as Germany, Switzerland, Suetia, Polonia, Bohemia, and the like, where, though there have been great alterations of religion, these late years, yet lightly none be forced so, but, if they cannot have the exercise of their profes-

expense of the crown, that, by learning the languages, laws, and customs of other nations, they might be useful to their country?—and accordingly, at their return, they were usually employed in places of the greatest trust. This custom of a foreign education was continued till Henry VIII.'s schismatical defection: but whether to the advantage of our statesmen, or not, appears from the skill they have in foreign affairs, and the figure our plenipotentiaries make in conferences abroad, when national interests are upon the carpet. As to the bishop of Rome's behaviour, in regard of princes, where titles and temporals are in debate, and especially in regard of queen Elizabeth, no catholic prince, in these days, lives in any apprehension of being disturbed from that quarter: nor are they jealous of their subjects' allegiance, upon account of the spiritual supremacy claimed by him. The case between the pope and queen Elizabeth ought not to make English catholics suspected, as to their allegiance. They unanimously acknowledged her

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sion in one territory, canton, town, church, or parish, yet they may have it near them, in another: * * * * which only grace of our prince if we might have obtained, no pleasure, profit, or preferment, that the world besides yieldeth in any part of christendom, should have kept us out of our dearly beloved country so long, for whose salvation, and so much liberty of conscience as is mentioned, we have often wished divers of our persons in perpetual prison, for pledge and warrant of the peaceable and loyal demeanour of our brethren, the catholics, and for security of the state, whereof her wise counsellors have always, in such cases, greatest regard. But neither this durst our catholic brethren demand, in their manifold fears, doubts, and disgraces at home, nor we, in such suspicion and misconstruction of all our actions, could ever with hope attempt it abroad.

"And, alas! much less than the grant of public places, for exercise of our ancient religion, would have given infinite contentment to the catholics within, and have called home most of them abroad, when both sorts would have counted it a singular grace, during the distress of these days, to have had, by permission, pardon, connivance, their soul rites (without which men perish doubtless everlastingly) in their private houses and chambers, yea in prisons, in the closest and least offensive manner in the world, as the apostles and confessors did often, in the primitive church, and St. Cyprian testifieth that some did in his time, and St. Athanasius himself did with the catholics of Antioch. From all which being, by rigour of penal statutes, diligent enquiry of temporal officers, watchfulness of ministers, spies, and promoters, continually restrained, and by them often chased from their houses, spoiled of their goods, disgraced and discouraged in all their affairs, many thousands, yea the far greater part of her majesty's subjects, languish away in sorrow and sadness irremediable."

He then mentions the oath of supremacy, and the compulsory attendance at the protestant worship, and thus concludes:—"The universal lack, then, of the sovereign sacrifice and sacraments catholicly ministered, without which the soul of man dieth, as the body doth without corporal food; this constraint to the con-

title. They never were pressed with, nor accepted of, the pope's bull, that pretended to dispense with them from their allegiance. They were entertained by her in the army, and now and then in the cabinet, till such times, as the misbehaviour of some particular persons drew a persecution upon the whole body, and occasioned those penal and sanguinary laws, to which their substance and lives have ever since been exposed. From that time, by a strange sort of logic, a catholic and a rebel have passed current for the same thing; and so they are commonly misrepresented, both in private conversation, in the pulpit, and at the bar. That this is the true state of the case, will appear from the account I shall give of those attempts, they are charged with.

To begin with that disturbance in the north, occasioned by Thomas Percy, earl of Northumberland. Our historians give an account, that this nobleman, being disobliged by the ministry, upon account of some copper-mines, which they had seized for the queen, in 1569

trary services, whereby men perish everlastingly; this intolerable oath, repugnant to God, the church, her majesty's honour, and all men's consciences; and the daily dangers, disgraces, vexations, fears, imprisonments, impoverishments, despites, which they must suffer; and the railings and blasphemies against God's sacraments, saints, ministers, and all holies, which they are forced to hear in our country, are the only causes, most dear sirs, or (if we may be so bold, and if our lord permit this declaration to come to her majesty's reading) most gracious sovereign, why so many of us are departed out of our natural country, and do absent ourselves so long from that place, where we had our being, birth, and bringing up, through God, and which we desire to serve with all the offices of our life and death, only craving correspondence of the same, as true and natural children of their parents.

"From which we are not fugitives, as sometimes uncourteously we are called, nor are fled for following any factions or differences of noble families, nor for any crimes or disloyalties done against the prince or commonwealth, nor for any disorder in our lives, or worldly discontentment or disagreement with the present civil state and polity, or for mislike of any her majesty's ministers, whose persons, wisdoms, moderation, and prudence in government, and manifold graces, we do honour with all our heart in all things, excepting matters incident to religion, wherein their honours cannot be offended, if we prefer the judgment of God's church before their human counsel;—acknowledging that her majesty's reign and their regiment had been most glorious and renowned to the world abroad, and most secure and happy to the subjects at home, if it had not been contaminated by the fatal calamities (so to call God's provident justice for our sins) of alteration in religion, and the things thereon depending. Which not consisting, as we have declared, with any christian catholic man's conscience, such as we profess ourselves to be, nor with liberty of mind, nor safety of body, we were constrained to flee and forsake our country, parents, friends, and whatsoever by nature is there dear unto us." Apologie and True Declaration of the institution of the English Colleges, &c. pp. 7—13.—*T.*]

his wrong, was very uneasy, till one way or other he had endeavoured to make himself satisfaction.[1] Now the method, he engaged in, was this, as it is related by John Stowe, who had it from the mouth of Sir George Bowes, the person chiefly employed to put a stop to the earl's attempts. About the beginning of the year 1569, one Thomas Markenfield, a gentleman of note, and who had lived some time abroad, found, by conversing with the two earls of Northumberland and Westmoreland, that they were under a great discontent upon several occasions, but chiefly, to see the religion of their ancestors entirely abolished; which, together with other provocations, made them easily give into the project he had formed, for raising a rebellion. Several gentlemen of those parts, very considerable both for their substance and interest, were drawn into the same design; the chief whereof were Francis Norton, Robert Tempest, John Swinbourn, Christopher Nevill, Cuthbert Nevill, Sir John Nevill, &c.[2] The queen, being privately informed of these practices, sent down her orders to the earl of Northumberland, to appear at court with all expedition. The earl received this summons, November 14, 1569, being then at his seat at Topcliffe. The rest of the conspirators, apprehending the earl's wavering temper, and that he would not stand to the engagement, the very same night, being Monday, alarmed the earl, that a party was approaching to surround his house, and seize him by force. Upon this rumour, he conveys himself privately, in the night, to his keeper's lodge, while the conspirators were employed in raising the

[1] Camden, 193.

[2] [The truth is, that, although Stowe attributes the origin of the conspiracy to Markenfield, it really commmenced with the two earls of Northumberland and Westmoreland. Mary of Scotland had now been, for more than twelve months, a prisoner in the hands of Elizabeth. The duke of Norfolk, through whom she had fondly hoped to regain her freedom, was in custody: and it was not unnatural that she should turn to those, whose services in effecting her delivery had already been frequently proffered. It was with the view of claiming these services, that she despatched a secret message to the two earls: by them it was conveyed to Egremont Ratcliffe, Leonard Dacres, Markenfield, and the other confederates; and a plan to attempt her liberation, by means of a general rising, was immediately set on foot. See Lingard, viii. 43, 44; who cites Sir C. Sharpe's Memorials of the Insurrection.—*T.*]

country, by ringing bells in the neighbouring places, and other methods. The next day, the earl went to Branspeth, where he met with Charles Nevill, earl of Westmoreland, and others of the confederacy.[1] Being now formed into a body, they set forth their pretensions in several proclamations, commanding all the queen's subjects to repair to them; alleging, that the defence of the queen's person, weeding out of evil counsellors, and preservation of the true religion, were the inducements to their rising: to which they added, that many great persons were in readiness to join with them.[2] Upon the 16th, they advanced to Durham, where some, that were mobbishly inclined, entered the cathedral, tore the bible, and committed several other violences. The same night, they returned to Branspeth, and, the morning following, proceeded to Darlington; and, attempting to have mass celebrated publicly, in the parish church, were disappointed for want of sacerdotal vestments, and other necessaries. In the mean time, some of the chief of them employed their interest to raise the whole

[1] [Branspeth was the castle of the earl of Westmoreland. The alarm at Topcliffe occurred on the ninth of November, and, on the following morning, Northumberland hastened to join the confederates at Branspeth. It was here, and not at Topcliffe, that Elizabeth's order was received, on the fourteenth (Lingard, ibid.). It would seem, however, that Northumberland was still anxious to avoid hostilities. To animate his resolution, this order was appealed to, and Westmoreland, with the more ardent of his companions, having assembled a body of clergymen, required them to say, whether, with the arrest of the duke of Norfolk to warn them of their danger, they should not be justified in taking up arms, in defence of their liberties. The majority of the replies was in the negative. There were some, however, in favour of war; and upon these the earl was ultimately induced to act. Murdin, 221.—*T.*]

[2] [One of these proclamations runs thus:—"We, Thomas, earl of Northumberland, and Charles, earl of Westmoreland, the queen's true and faithful subjects, to all the same of the old catholic religion. Know ye, that we, with many other well disposed persons, as well of the nobility as others, have promised our faiths, in the furtherance of this our good meaning. Forasmuch as divers disordered and evil disposed persons, about the queen's majesty, have, by their subtle and crafty dealing to advance themselves, overcome, in this our realm, the true and catholic religion towards God, and by the same abused the queen, disordered the realm, and now, lastly, seek and procure the destruction of the nobility, We, therefore, have gathered ourselves together, to resist by force; and the rather by the help of God and you, good people; and to see redress of these things amiss, with restoring of all ancient customs and liberties to God's church, and this noble realm;—lest, if we should not do it ourselves, we might be reformed by strangers, to the great hazard of the state of this our country, whereunto we are all bound." Strype, Annal., i. 583.—*T.*]

country. On the 18th, the earl of Northumberland set out for Richmond, thence to North Allerton, and so to Boroughbridge; and, on Sunday the 20th of November, he, with his countess, met again with the earl of Westmoreland, at Ripon, where they were present publicly at mass. They had now contrived a standard, which was a cross, with the five wounds of our Saviour printed upon it, and was carried before them by Richard Norton, Esq. The same night, they returned to Boroughbridge, and, on Monday, went to Wetherby. The same day, one of their parties drove the queen's forces out
Nov. of Tadcaster: on Tuesday, they mustered on Clif-
22. ford Moor; where, by computation, they appeared to be 1600 horse, and 4000 foot. Their intention was, from thence to have marched towards York; but, understanding that Sir George Bowes was at the head of some forces in the bishopric, they directed their course that way; and, the last of November, laid siege to Barnard Castle, which was garrisoned by Sir George, and his brother Robert, Bowes.[1] After several sallies, wherein the garrison constantly were forced to retire,
Dec. the town was surrendered to the earl; and the
10. soldiers were permitted to march out with all the tokens of honour, making their way to York. In the mean time, Thomas, earl of Sussex, being the

[1] [There is an interval of eight days, at least, from Tuesday, the twenty-second, when they mustered at Clifford, or Branham, Moor, to Wednesday the thirtieth, when they attacked Barnard Castle, here unaccounted for. The truth is, that their funds were exhausted; the catholic gentry, instead of rising at their summons, had flocked to the standard of the queen; forces in various quarters were said to be assembling, for the purpose of opposing their progress; and it was deemed expedient, for the present, to retrace their steps, and retire to the earl of Westmoreland's castle at Raby. Here they instantly published a fresh manifesto. Their object—it had long been the object of the ancient nobility—was, to determine the succession to the crown. In this they were opposed by the queen's advisers. But they had resolved to stake their lives and fortunes on the issue: they had committed themselves to the protection of heaven; and they now earnestly implored the assistance of every friend to his country, every advocate for the preservation of the ancient nobility of the realm (see Appendix, No. I.) It was not probable that their late retreat would encourage the spirit, which their proclamation endeavoured to excite. Their summons was disregarded; their messengers were, in some instances, seized and handed over to the government; and Cecil himself was compelled to acknowledge that "the queen's majesty had had a notable tryal of her whole realm and subjects, wherein she had had service readily of all sorts, without respect of religion." (Cabala,

queen's lieutenant-general, had orders to raise all the power he could, and put a stop to the farther progress of the rebels. The army under his command lay then at York; from whence they began to march towards Topcliffe, on Sunday the 11th of December. On the 12th, they made a halt at Sesay, where they were joined by Sir George Bowes. Then, taking their road through North Allerton, Smeeton, and Croftbridge, they arrived at Auckland, from whence the rebels had retired to Hexham. But, not being able to oppose the queen's general, after a few days they dispersed.[1] The earl of Westmoreland subsequently got over into Flanders, where he had the command of a regiment, and a pension from the king of Spain. The earl of Northumberland made his escape into Scotland, where, for some time, he was entertained by the Grahams of Haverflew. But, ere long, the regent Murray sent orders to have him confined; and the next regent, Morton, for a sum of money, delivered him up to queen Elizabeth, though he had formerly been protected by the earl, when he was obliged to leave his own country for treasonable practices. A strict search being afterwards made, great numbers of the rebels were apprehended, and executed at Durham, York, London, and other places; in all about sixty-six: some whereof were persons of figure and substance. As for the earl of Northumberland, after he had been in Scotland about a year and a half, partly as a guest, and partly as a prisoner, he was removed to York Castle, where he spent his time with singular edification; being frequently visited by the chief

Dec. 16.

170; Haynes, i. 564; Camd. i. 194; Sadler, ii. 43, 52, 54). However, the inactivity of the earl of Sussex encouraged the confederates to make another attempt. In the course of a few days, they again mustered their forces; and the siege of Barnard Castle, and the other incidents mentioned in the text, immediately followed.—*T.*]

[1] Stowe, 662, 663. [It was not from Auckland, but from Durham, that the insurgents, or rather a portion of them, retired to Hexham. On the approach of the royal army (Dec. 16), a council of war was hastily assembled at Durham. As usual, the timidity of Northumberland sought to effect a cessation of hostilities: he was opposed by the more ardent spirit of his associate earl: a division ensued; and the whole of the infantry immediately retired to their homes. With a small body of five hundred horse, the two noblemen fled to Hexham. Sadler, ii. 71; Cabala, 170. See also Lingard, viii. 50.—*T.*]

persons of the neighbourhood, especially by the catholics. He was beheaded at York, August 22, 1572.[1]

Many severe reflections have been made upon the whole body of catholics, upon account of this nobleman's attempt; but very often without considering the circumstances of his case. By a method, very common with historians, they join occurrences together, and represent those things as the formed design of a party, which were merely casual, and entirely proceeding from personal resentment. By this stratagem, the earl of Northumberland is represented, as acting in concert with the bishop of Rome, Pius V., who, by an express bull, had deprived queen Elizabeth of her crown, and dispensed with all her subjects from their allegiance; and it is added that, upon this remonstrance of his, the whole body of catholics were engaged in this rebellion. Now, it appears plainly from circumstances, that the earl, the pope, and the body of catholics did not act in concert, or with any formed design, upon this occasion. The earl's manifesto allows of the queen's title; he takes no notice of any bull of dispensation from the pope; his insurrection happening before any thing of that kind was published.[2] Then, as for the body of

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[1] Cabala, 171; Murdin, 186, 193; Camd. 196, 269; Strype, Annal. i. 583—588, 604; Bridgewater, 46—49. [Dodd's calculation of the number of sufferers, on account of this rebellion, is greatly deficient. As soon as the flight of the insurgents was known, Cecil wrote to Sir Ralph Sadler on the subject of their punishment. "It were pitte," said he, "but some of those rascalls were hanged by martiall lawe; but for the rycher wold be but taken and attaynted; for otherwise it is doubtfull how the quene's majestie shall have any forfeture of ther lands or goods. And herof I pray you thynk, and tell my lord lieutenant therof" (Sadler, ii. 70). Sadler seems to have thought effectually on the subject. Of the "richer" sort, noblemen, gentlemen, and others, who possessed lands and estates, fifty-seven were reserved for trial and attainder (Stat. of Realm, v. 549). Of the others, more than three hundred were executed in the county of Durham alone. For the sake of example, they were distributed through the principal parts of the district; and there was scarce a town or village between Newcastle and Wetherby, a distance of sixty miles, in which the work of death was not consummated. (Stowe, 664; Sharp apud Lingard, viii. 51). Of those who were executed Dodd elsewhere give the names of five persons, the earl of Northumberland, Plumtree, one of queen Mary's priests, Thomas Norton, John Hall, and Oswald Wilkinson. Other names may be seen in the act of attainder, Stat. of Realm, v. 549.—*T.*]

[2] Adhuc per papam non erat publicè contra reginam lata excommunicationis sententia. Sanders, de Schism. Angl. 363.

catholics, they stand clear of censure, both as to the pope's bull, and the earl's rebellion. For it is notorious, that they owned the queen's title, notwithstanding the declaration of Rome; insomuch, that even Mr. Campian and others, that were executed upon I do not know what design against the queen and government, made a public acknowledgment of their allegiance at their deaths. If now and then a person was found either writing or practising, against the queen's title, this is very unfairly charged upon the whole body. For, as Mr. Echard candidly owns, "the more moderate sort of papists disallowed of the pope's whole proceedings, as unjust and illegal."[1] As for the part catholics had in the earl's insurrection, it is not to be wondered at, if a person of his interest drew great numbers after him in the neighbourhood. Several considerations might induce them to it, viz., many of them, being his tenants, and all, in a manner, his friends, relations, or otherwise depending upon him, might be prevailed upon to risk their fortunes in a cause, drawn up in artful terms, and with an appearance of loyalty. However, it was a very short-lived business, and was so far from having any influence upon the body of catholics in other parts of the kingdom, that they publicly declared against it. For, as protestants themselves give an account, the rebels "wrote letters to the papists throughout the kingdom, requiring them to come to their assistance. But they were so far from joining with them, that many sent both the letters and bearers of them to the queen; every one freely offering his purse and his person against them."[2] This is a sufficient apology for the body of catholics, and clears them from the imputation of rebellion in this attempt. Neither doth it reflect upon their allegiance, what is alleged by Dr. Sanders and some others, who bestow the title of martyr upon the earl of Northumberland. No body of men are answerable for the private notions of any of their party. Besides, it is observable, that Sanders does not ground the notion of

[1] Echard, i. 819. [2] Echard, i. 816.

martyrdom upon the merit of his rebellion, but upon the profession of his faith; who had his life freely offered him, if he would have conformed to the established religion; which very much alters the case, and, supposing the truth of his religion, makes his claim to martyrdom very plausible.[1]

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[1] [On this passage I must be permitted to offer some remarks. 1st. Dodd mentions the bull of deposition, published by Pius V. against Elizabeth. It is known as the bull "*Regnans in Excelsis*," and was the result of a judicial proceeding, instituted by Pius himself, and terminating in a declaration that the queen had incurred the canonical penalties of heresy. In it, the pontiff recites the charges, on which it was founded. She had assumed the title of head of the church: abroad, she had assisted the enemies of religion; at home, she had banished the catholic, and restored the reformed, worship: she had filled the council with heretical advisers, the church with heretical bishops and pastors: she had oppressed the ancient nobility; she had imprisoned the ancient prelacy; and she had imposed an oath upon her subjects, alike injurious to the power, and derogatory from the rights, of the holy see. Under these circumstances, to remain silent were to betray his duty. He, therefore, declares both herself and her adherents to be guilty of heresy, and to have incurred the sentence of anathema: he deprives her of her "pretended" right to the crown, absolves her subjects from their allegiance, and finally, pronounces a like sentence of anathema against any persons, who shall henceforth presume to obey her laws, or acknowledge her as queen (see Appendix, No. II.). This bull was dated on the twenty-fifth of February, 1570: and it is clear, therefore, that it could have had no effect in promoting the rebellion, which terminated, at least two months before. Still, the absence of all concert between Rome and the insurgents is by no means certain. During the summer, Dr. Nicholas Morton, a near relative both of the Nortons and of the Markenfields, and formerly a prebendary of York, had arrived from Rome, in the character of apostolical penitentiary. His ostensible purpose was, to impart spiritual faculties to the catholic clergy: but he mixed continually with the discontented leaders in the north; he assisted in arranging their plans and animating their courage; and though he could not announce the publication of the bull of deposition, which was not yet signed, it is more than probable that he informed them of the measures, already taken to prepare such an instrument. If we may believe Sanders, indeed, the assertions of Camden (194) and Strype (Mem. ii. 389), on this subject, are strictly correct. He says distinctly that Morton was sent by the pontiff, "ut certis illustribus et catholicis viris authoritate apostolicâ denunciaret, Elizabetham, quæ tunc rerum potiebatur, hereticam esse, ob eamque causam omni dominio et potestate, quam in catholicos usurpabat, jure ipso excidisse, impunèque ab illis velut ethnicam et publicanam haberi posse, nec eos illius legibus aut mandatis deinceps obedire cogi" (De Visib. Monarch., 706). See also Sir John Throckmorton's "Further Considerations," where a letter is printed, addressed by the pope to the insurgent earls, and assuring them of his zealous support, in their "holy and religious" undertaking (p. 101).

2d. To prove that the catholics, as a body, were uninfluenced by the denunciations of the pontiff, Dodd appeals to the declarations of Campian and his associates, and to the dying profession, which they made of their allegiance. It is fortunate that the appeal is illogical; for nothing certainly can be more unsatisfactory than the declarations in question. When Persons and Campian were about to proceed to England, they applied to pope Gregory XIII, and obtained from him a modification of the bull, to the effect that, although it

Notwithstanding the inoffensive behaviour of the body of catholics in this attempt of the earl of Northumberland, it gave a handle to the government to keep them under a greater restraint; and to this purpose several severe laws were made, both penal and sanguinary. They had observed that the catholic interest was very much increased of late, by the means of seminary priests educated abroad; and, to deter them from this method, it was made a capital crime for any one to exercise his sacerdotal functions, or to be reconciled to the faith of the church of Rome; with several other acts, whereby

must still continue to be binding on Elizabeth and her adherents, the catholics might be relieved from its operation, in other words, might continue to acknowledge her authority, but only until an opportunity should offer of carrying the sentence into full effect (Harl. Miscell. ii. 130. Philopater, 169). It is clear that, with this dispensation in their possession, no protestation, however explicit, either from Campian, or from his associates, could possibly be received as an indication of their real opinion, on the subject of the deposing power claimed by the pope. Their answers, however, on their examination, sufficiently betray the nature of their sentiments. To ascertain those sentiments, Elizabeth caused six questions to be drawn up and proposed to them. They were required to state their opinion as to the validity of the bull of Pius V., and the title of the queen to the obedience of her subjects; to declare whether the pope could justly authorize the insurrection of the northern earls, whether he possessed power to absolve the people from their allegiance, whether the writings of Bristowe and Sanders in commendation of the bull were to be approved, and finally, what part they would be prepared to take, in case the pope should attempt to enforce the sentence of deposition. Of the thirteen persons, including Campian, arraigned in 1581, and 1582, three only, Rishton a priest, Bosgrave a jesuit, and Orton a layman, answered satisfactorily, and were immediately pardoned: the others replied in terms, of which Mr. Butler justly remarks, that they were "either refusals to answer, or evasive answers, or such answers as expressed their belief of the deposing doctrine, or, at least, a hesitation respecting it" (Mem. of Eng. Cath., ii. 429). They professed their obedience to the queen; but they also asserted, either directly or by implication, the power of the pope to deprive her; and they plainly intimated that, if the case should arise, their own exertions would not be wanting, to second the declaration of their superior (see Appendix, No. III.).

3d. It is right to observe that the story of Northumberland's life having been offered to him, on condition of his conforming, rests on no probable authority; that Sanders himself, though, in one work (De Schism. 363), he positively affirms it, in another (Vita Northumb. apud Bridgewater, 47), mentions it only as an uncertain report "*(auditum quendam incertum, et præterea nihil);*" and yet, that, in the very same page, almost in the very same sentence, which contains this acknowledgment, he speaks of his death as a martyrdom, and himself as the "unconquered witness of his faith." As far as I know, Allen is the only contemporary writer, who, asserting the religious prerogatives of the earl, has drawn the distinction set forth by Dodd. "We can tel you," says he, "that the renouned countie of Northumberland died a saint and holie martir: for, what former quarel or cause of his death soever ther was, yet was he a true martir, in that he was offred his life, yf he would alter his religion; as divers others were of the same action in the north, and al other priestes pretended to be condemned for other treasons. Which life and living inasmuch

many practices of the old religion became obnoxious.[1] By this means, catholics lay open to continual persecution, and the new laws were a constant fund for plots, when a proper season offered itself, and the politics of the nation seemed to call for a stratagem. Here was a large field for politicians and knaves to range in, while religion and civil allegiance were so interwoven by the late acts, that an impeachment in either kind served to both purposes: and, accordingly, several missioners,

as they refused for Christ and his faith, when it was offered, they be in the number of saints and confessors, no lesse then if they had died onelie for the same" (Answer to Eng. Justice, 48, 49).

As I have referred to this work of Allen's, I will cite another passage, illustrative of the motives of Campian and Persons, in seeking the modification of the bull of deposition, mentioned in a preceding part of this note. "They knew," says the cardinal, "his holines would not wholie alter that censure; the case standing with the principal partie, as it did before his predecessor's sentence. They knew the quene and protestants themselves made no accompt thereof, nor desired to be loosse. They knew it singularlie perteined to the safetie of her person and the quiet of the state, that the catholicks were perswaded they might laufullie obey her as their quene and governesse, notwithstanding the said sentence. They knew the subjects would gladlie doe that, with safetie of conscience, as a way far more secure for both themselves and the quene, which they did before, onelie for feare. They knew they could not profitablie proceed in their spiritual worke of confessing, converting, and reconciling the subjects to the holie church, except they might, by apostolique warrant, resolve them for their lauful obedience to the quene. They thought good, wher neither the pope could be induced, without the repentance of the partie, to cal in the censure, nor the quene to yeeld to anie condition that way, rather thus to seeke for mitigation, then to leave it in ful force stil; and finally, rather thus by moderation and sweetnes to temporize betwixt both their superiors; to see whether God might not move the hart of her majestie, wholie lying in his hand, to enter into some good conditions, for her reuniting to the communion of the christian world." Answer to Eng. Just. 66.—*T.*]

[1] [The suppression of the northern rebellion was immediately followed by the publication of the bull, mentioned in the preceding note. By the catholics it was received with feelings of the deepest dismay; by Elizabeth, who, not unnaturally, connected it with the late insurrection, it was regarded as part of another, and perhaps more effective, plan, to dispossess her of her throne. (Camd. ii. 215). At first, she sought to obtain a revocation of the sentence: afterwards, finding that her efforts were unsuccessful, she resolved to adopt other measures, and, if possible, to cut off all communication between her catholic subjects and the see of Rome. With this view, and under these circumstances, the first enactments, alluded to in the text, were framed. When parliament met, in April, 1571, two bills were laid before it. By the first, whoever denied the queen's title, or described her as a schismatic, heretic, or infidel, or affirmed that the right to the crown and the succession could not be determined by law, was declared to have incurred the penalty of treason (Stat. 13 Eliz. c. 1). By the second, a similar punishment was awarded against all persons, who, after the first day of the following July, should procure, or put in use, any bull, writing, or instrument whatsoever from the bishop of Rome, or should absolve, or promise to absolve, by virtue of such instruments, or should seek, obtain, or willingly receive any sentence of reconciliation, pronounced under their authority: all aiders and abettors in the commission of the said

executed merely upon account of their functions, had been represented as traitors. This only affected parti-

offences were, in like manner, to suffer the pains of treason: all maintainers and harbourers of such offenders were to incur the penalties either of premunire, or of misprision of treason, as the case might be; and all others, who should introduce or receive the things called "Agnus Dei," or any crosses, pictures, or beads, blessed by the bishop of Rome, were to be subjected to the punishment of premunire, and suffer forfeiture and imprisonment accordingly. (See Appendix, No. IV.). By "absolutions," the statute seems to have contemplated only such sentences, as were pronounced, either by virtue of special and extraordinary faculties, or for the purpose of reconciling Protestants to the ancient church. Whether, however, a wider interpretation was not occasionally affixed to it, may, perhaps, be doubted. Sacramental absolutions were equally pronounced by authority derived from the pope, as the fountain of jurisdiction; and Garnet, in one of his letters to Aquaviva, seems to intimate that these were sometimes brought within the meaning of the law. "Illud enim intelligere oportet, posse quidem hæreticos ex lege Anglicanâ omnes catholicos morti adjudicare; nam quicumque confitetur sacerdoti peccata sua, absolvitur; ergo absolvitur potestate acceptâ à Romanâ ecclesiâ. Atqui hoc capitale est. Solent tamen *ferè* legem illam mitiùs interpretari, de primâ illa reconciliatione, quâ ab hæresi quisquam revertens ecclesiæ restituitur (Stonyhurst MSS. Ang. A. iv. 73.)

The first execution, under this act, was that of Cuthbert Mayne, in 1577: the second, that of Nelson and Sherwood, who suffered at the beginning of the following year. But, in the summer of 1579, intelligence was received from Ireland, that Sanders, in the character of papal legate, was seeking, at the head of the insurgents, to enforce a new bull of deposition in that country (Camd. ii. 334; Wilkins, iv. 296): almost at the same moment, the seminary at Rome was opened; and while missionaries, both from that establishment and from Rheims, were pouring into the country, Persons and Campian, two distinguished members of the society of Jesus, suddenly arrived, to claim the dangers and the glories of the mission. The appearance of these men was easily connected with the proceedings of the legate in Ireland. Elizabeth immediately issued a proclamation, denouncing the principles said to be inculcated in the foreign colleges, commanding all persons, whose children, wards, or relations, were receiving their education abroad, to recall them within four months; and strictly forbidding all her subjects, under the severest penalties, to harbour, relieve, or conceal either a jesuit or seminarist (See Appendix, No. V.) When parliament assembled, in January, 1581, another of the acts, alluded to in the text, was proposed and adopted. It declared that all persons possessing, or pretending to possess, use, or exercise, the power of absolving or withdrawing others from their obedience to the queen, or from the religion established by law, or suffering themselves to be so absolved or withdrawn, or aiding, abetting, or assisting in the performance of any overt act for this purpose, should suffer the penalties of treason: that all persons cognisant of such practices, and not revealing them to the proper authorities, should be adjudged guilty of misprision of treason: that every priest saying mass should forfeit two hundred marks, and be imprisoned for one year; every person hearing mass should pay one hundred marks, and be imprisoned for the same term: that absence from church should be punished by a fine of 20*l.* a-month, for all persons above the age of sixteen: that, if the absence extended to twelve months, the offender, in addition to his fine, should be obliged to find two sureties for his good behaviour, in 200*l.* each: finally, that any schoolmaster exercising his profession without the license of the ordinary, and any person employing such unlicensed teacher, should be liable to a fine of 10*l.* a-month. (See Appendix, No. VI.) Such were the statutes which preceded the events narrated in the text.—*T.*]

1581 cular persons; but, in a little time, a rumour was spread abroad of a more general design. It was pretended that a plot was hatching in the English colleges at Rheims and Rome, to subvert the government, and destroy the queen; to which purpose the missioners had engaged themselves by oath to the bishop of Rome. Now, the motives and method of the contrivance was thus:—A treaty of marriage had been carried on, for some time, between the queen and the duke of Anjou; and it was in a fair way of succeeding. The ministry were apprehensive this alliance would be very prejudicial to the reformation, and that, at the least, it would produce a toleration for catholics. To prevent this inconvenience, and to make the party odious to the queen and the whole nation, they were to be charged with a plot. Secretary Walsingham was the chief manager of the contrivance. He was provided with a band of swearers, whereof some had been expelled out of the colleges abroad for misbehaviour; others had been placed there by him as spies; and, generally, they were every one of ill fame, as to their life and behaviour. The chief of these state witnesses was Elliot, who had been a servant in several catholic families (from whence he was discharged with disgrace), and whose business it was, to find out and instruct other witnesses. The rest were, Slade, formerly a servant in the college at Rome; Mundy, a rambling stage-player, who had been relieved in his necessities when abroad;[1] together with one Cradock, Norton, &c. The persons they informed against were, Edmund Campian, Ralph Sherwin, Alexander Briant, Luke Kirby, Edward Rishton, Thomas Cottam, John Colleton, Robert Johnson, James Bosgrave, Thomas Forde, John Short, William Filbie, and

[1] [If we may believe himself, he had been a student in the Roman college, but afterwards apostatized. About this time, he wrote a work, entitled, "*A Discovery of Campian, the Jesuit*," which he dedicated to the chancellor, Burleigh, and Leicester (Strype, Mem. iii. 66, 67). In 1590, he published another scurrilous piece, which the prejudices of Osborne have thought worthy to be preserved in the Harleian Miscellany (vii. 128—158). It is called "*The English Romayne Life*," and is said, in the title-page, to be "*written by A. M., sometime the Pope's scholler in the seminarie among them.*"—*T.*]

Lawrence Richardson, all missionary priests, with Henry Orton, a layman. The accusation against them ran chiefly upon two heads. The one was general, that the colleges abroad were purposely established for the destruction of the church and government: and then, the witnesses applied the general charge to the prisoners, confidently swearing, that both in the colleges, and in England, they had heard them utter several speeches, tending to the destruction of the queen and government. As to the general accusation, the prisoners did not deny but that the colleges abroad were erected purposely to support the catholic cause in England; and that they were sent over to labour for that purpose, by preaching and administering the sacraments; and it was left to the world to judge how far this made them obnoxious to the laws regarding civil government. As for practising any thing against the queen's person, they denied every part of the charge; but could not defend themselves against confident swearing. Yet, in proof of their innocence, they owned her title to the crown,[1] and made a public disclaim of all attempts against either her person or the government.

All impartial men saw through the disguise of this prosecution; and, that the whole was a contrivance of the ministry, appeared from the blundering narrative given by the witnesses. In particular, one of the prisoners, viz. Mr. Colleton, convinced the court, that he never had been in the college at Rheims, though treasonable practices in that place were sworn to against him. However, the contrivance had its effect: and the persons above-mentioned were pronounced guilty of high-treason, in the year 1581.[2] Mr. Camden tells us, this execution was a politic stroke, to appease the minds of a great many, who were in a great ferment, at this time,

[1] [This, as the reader will remember, is hardly correct. A more detailed account of their trial and sufferings will be given in the biographical part of this work.—*T.*]

[2] [He should have excepted Colleton, who was remanded before judgment was pronounced. He was saved by the testimony of Lancaster, a protestant barrister, who made oath that Colleton had consulted him in his chambers, in Gray's Inn, on the very day on which the witnesses charged him with conspiring at Rheims. Challoner, i. 51.—*T.*]

upon account of the duke of Anjou. For, he being now at London, in the height of his courtship, matters were so represented, as if his intended matching with the queen would entirely ruin the protestant religion. "Wherefore, during his stay here, to take away the fear which had possessed many men's minds, that religion would be altered, and popery tolerated, being overcome by importunate entreaties, she permitted that Edmund Campian aforesaid, of the society of Jesus, Ralph Sherwin, Luke Kirby, and Alexander Briant, priests, should be arraigned."[1] Few years passed after-

[1] Camden, ii. 379. [He adds, that, although their "superiors" were employing them as instruments in the execution of their designs, the queen believed that most of the clergy, whom she executed, were wholly guiltless of any treasonable intent. "Plerosque ex misellis his sacerdotibus, exitii in patriam conflandi conscios fuisse non credidit" (ibid. 380). I may subjoin also the following passage from cardinal Allen. After describing the character of the witnesses adduced against Campian and his fellow-sufferers, in 1581, he thus proceeds:—"Well, thus their good witnesses gave in evidence of things spoken and contrived in Rome and Rheims, which were known to be most false of all that were in either place, the times and days by them named; and whatsoever was either truly or falsely testified to be done or said in either of the two places, by any English there dwelling, it was unjustly applied to all and every one of these good men, now standing in judgment: yea, it served against some, that were never in either place, in their life, as against Mr. Forde and Mr. Colleton; as also against father Campian, that dwelt a thousand miles off, in Prague, occupied by his superiors in teaching and preaching, wholly estranged from all Englishmen and English affairs, otherwise than in his prayers, for above nine years together; not ever seen or known to divers, that then were arraigned with him in judgment, as conspirators in one and the same treason, before they met there together at the bar, nor ever known to the witnesses themselves. The same served against Mr. Short, that had not been in either place of many years before: against Mr. Briant also and Mr. Richardson, that never had been in Rome nor in Rheims, of eight months before the time, wherein the false witnesses feigned the conspiracy to have been there contrived: yea, and against father Bosgrave it served also, that was neither seminary man, nor sent by the pope or superior, nor acquainted with any other English priests that returned home, nor of the cause of their coming; having been so long absent in the north parts of the world, that he had, in manner, forgotten his own language, repairing home himself for his health only: and yet all, or the most part of these men, * * * were condemned together at one bar, for one and the self-same particular treason, for conspiring, forsooth, her majesty's death, at Rome and Rheims, such and such days, which in itself hath most manifest contradiction" (Answer to Eng. Just. 26, 27).

Such, indeed, was the general persuasion of their innocence, that Elizabeth, in the following year, found it necessary to issue a proclamation, asserting the justice of their punishment, and cautioning her subjects against harbouring priests and jesuits. It is remarkable, however, that the pretended conspiracy, for which they were executed, is not once distinctly mentioned; and that, in addition to the fact of their having entered the country, the only ground assigned, in justification of the government, is a vague *inference* drawn from the

wards of this queen's reign, without the execution of one or more of the seminary priests, who, though they suffered merely upon account of their functions, yet were represented to the people as traitors, and deemed so by those laws which had made religion treason.[1]

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insurrection in Ireland, and from some unproduced letters, that "the very end and purpose of these jesuits, and seminary men, and such like priests, sent, or *to be sent*, over into this realm, and other her majesty's dominions, from the parts beyond seas," is to prepare the way for foreign invasion, "to stir up rebellion," and to deprive the queen of her life, crown, and dignity (see Appendix, No. VII.). That no overt act of treason was proved against them is certain. "The only evidence," says Mr. Hallam, "so far as we know, or have reason to suspect, that could be brought against them, was their own admission, at least by refusing to abjure it, of the pope's power to depose heretical princes. I suppose, however, it is unnecessary to prove, that, without some overt act, to shew a design of acting upon this principle, it would not fall within the statute" (Const. Hist. i. 224, note). I will only add, that Nichols, one of the principal accusers, afterwards retracted his charges, in a series of letters, which will be given in the biographical part of this work.—*T.*]

[1] [In passing to Babington's conspiracy, Dodd has omitted those of Arden and Throckmorton, in 1583, as well as the treason, real or fictitious, for which Parry was executed, a few months later. Arden's affair will be mentioned in his life: Throckmorton's I will here briefly notice. It was in November, 1583, that a letter, written by an exile, named Morgan, and addressed to the Scottish queen, was intercepted by Walsingham. Its contents excited the suspicions of the government. Francis Throckmorton, with his brother George, was immediately arrested and committed to the Tower: other persons, supposed to be implicated, fled to the continent; while a third party, consisting of the earls of Arundel and Northumberland, with several members of their respective families, were brought before the council, and repeatedly examined (Camd. ii. 411). Happily for themselves, these were able to silence the accusations of their adversaries. But Francis Throckmorton was less fortunate. For some time, he succeeded in bidding defiance even to the tortures of the rack, and resolutely persisted in asserting his innocence. At length, however, his courage gave way. He confessed that, some few years before, he had met sir Francis Englefield at the Spa, and with him had discussed the possibility and the means of effecting an invasion of the English territory: that, on his return, the subject had been renewed with Mendoza, the Spanish ambassador: that, at the suggestion of that minister, and with a view to favour the project, he had drawn up two lists, found in his trunks, the one containing the names of the chief ports, the other those of the principal catholics, of England; and that a plan had been devised, by which the catholics, at the moment of invasion, should levy troops in the queen's name, should afterwards take them over to the enemy, and then, if Elizabeth should refuse toleration to their religion, should at once "remove her from her crown and state." He added, that, with respect to the place of landing, his own ideas had been in favour of "the northern parts:" that subsequently, however, Paget, under the assumed name of Mope, had been despatched to examine the southern coast; and that, in consequence of this, the neighbourhood of Arundel had been selected as the point, on which a descent was to be attempted. It would appear that this confession was made, under the notion, that, as it referred to acts committed more than six months before the date of the endictment, it could not, by one of the late statutes, affect his life. When he found, however, that he was prosecuted under the ancient statute of treasons, he immediately revoked it. After his condemnation, he

The next attempts, charged upon the catholics, were those of Babington's plot, in 1586, and of the Spanish Armada, in 1588: for it is observable, that, in all invasions from abroad, or disturbances at home, their enemies took care to make them a party concerned: and they were so exact in this method, that there was scarce a villain that suffered at Tyburn, or any other part of the kingdom, of that persuasion, but was represented as an instrument, employed by his party, to put some plot in execution. The case of Babington was this:—The imprisonment of Mary, queen of Scot-
1586 land, was looked upon, by all Europe, to be a politic

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again returned to it: and finally, on the scaffold, he once more renewed the asseverations of his innocence, called God to witness the truth of his dying declarations, and assured the spectators that his confessions had been obtained from him, in the first instance, by the fear of torture, and, in the next, only by the hope of pardon (Camd. ii. 410, 411, 414—416; Harl. Miscell. iii. 183—193). These contradictory assertions, coupled with the absence of any legal evidence of his guilt, have thrown a considerable degree of doubt over the project, for which Throckmorton was executed. That some such design, however, was in agitation, is certain. In the archives of the dean and chapter *(catholic)*, there is still preserved a paper, written in the character of the time, and bearing for its endorsement the words "*A memoriall for the journay.*" It is without either name or address: but it evidently relates to the same period as Throckmorton's plot; it names the principal catholics to be relied on; and particularly insists on the propriety of effecting a landing in "the northern parts." This paper, together with a letter from the earl of Westmoreland and lord Dacre, written about the same time to Allen, and offering their joint services in the prosecution of any attempt against England, will be found in the Appendix, No. VIII.

The execution of Throckmorton was followed by the treason of Parry, to which I have alluded, and of which an account will be elsewhere given. Of its reality a doubt has often been expressed: of its effects on the interests of the catholic body there can be but one opinion. Availing itself of the excitement produced by Throckmorton's trial, the government had already introduced a bill to encrease the legislative severities, lately enacted against the professors of the old religion, when Parry, who had, for some time, been employed as a spy, was suddenly arrested, on a charge of having undertaken to assassinate the queen. At his trial he acknowledged the fact, and declared that the design had been approved by the pope. Subsequently, when sentence was about to be pronounced on him, he retracted his confession: but the judges refused to listen to his recantation; the sentence of death was followed by his execution; and a fresh impulse was given to the penal enactments, already in progress through parliament. By them it was now proposed, 1st, that all jesuits, seminarists, and other priests, ordained by authority from the see of Rome, since the twenty-fourth day of June, in the first year of the queen's reign, and found within the realm, after the expiration of forty days, should be adjudged guilty of treason: 2d, that whoever should harbour, relieve, or comfort such jesuits or others, after the termination of the said forty days, should be liable to the punishment of felony: 3d, that any person, knowing them to be in the kingdom, and not discovering them to the proper officers, within twelve days, should suffer fine and imprisonment at the queen's pleasure: 4th, that all lay-students

contrivance, contrary to the law of nations, and injurious to crowned heads; but, more particularly, to be the stratagem of a party, who were enemies to the Scottish succession and catholic interest, which very much depended upon the life of that princess. Great interest had been made, both at home and abroad, for obtaining her freedom; but all in vain. The ministry, on the other hand, laboured daily to rid queen Elizabeth of so troublesome a rival. Now, as, in all parties, there are never wanting persons subject to transports of zeal, so, in the year 1586, several gentlemen, friends to queen Mary, were resolved to make a home-push for her de-

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in the catholic seminaries, neglecting to return, and take the oath of supremacy, within six months after proclamation made in that behalf, should be condemned and executed as traitors: 5th, that persons, conveying money out of the kingdom for the support of the seminaries or their inmates, should be subjected to a premunire: 6th, that parents, sending their children abroad, without the special licence either of the queen, or of the privy-council, should forfeit for every offence one hundred pounds: and lastly, that persons, submitting themselves under this act, and taking the required oath, should, nevertheless, lose the benefit of their submission, if, during the space of ten years next ensuing, they presumed to come within ten miles of the place where the court should be held, without the special licence of the queen in writing (see Appendix, No. IX.). Before this bill received the royal assent, the catholics, by the hands of Richard Shelley, of Michel-Grove, in Sussex, hastened to present a dutiful supplication to the queen. Of the late conspiracies and treasons they expressed their unqualified abhorrence. They denied the power of the pope to give licence to commit sin: they renounced the contrary opinion, with its abettors, as devilish and abominable: they declared that the catholics, and especially the clergy, acknowledged the queen for their sovereign, as well *de jure*, as *de facto*: they denounced it as sinful and heretical to believe that any man might lift his hand against God's anointed: and they concluded, therefore, by praying that her majesty would not suspect their loyalty, merely because they abstained, through motives of conscience, from joining in the established worship; that, on the contrary, she would have a merciful regard to their afflictions, and refuse her assent to any law for the banishment of the catholic clergy. Of this petition the only result was the seizure and imprisonment of the man, who had ventured to present it. The bill received the royal assent: Shelley, for his presumption, was brought before the council; and, as he refused to declare that every advocate of the deposing power was a traitor, he was committed to the Marshalsea, and left to linger out the remainder of his days in a dungeon. See Pattenson (Jerusalem and Babel, 496, 497), who gives the protestation, and Strype (Mem. iii. 298), who supplies the prayer of the petition.

Speaking of the execution of four clergymen, under this statute, in 1586, Mr. Sharon Turner ingeniously remarks that "it was a harsh punishment, ... but, as they came into the island, after the statute had made it treason for such persons to enter into it, stay forty days, and act as they did, they voluntarily and wilfully chose to incur the legal sentence and the penalty; and, as such, *their case was an act of deliberate suicide*" (iv. 436). Of course, to say nothing of the apostles and first martyrs, the sufferers under Mary are included in this category of suicides.—*T.*]

livery. They were about fourteen in number, most of them persons of considerable fortunes, and of some interest in their neighbourhood. Their names were Anthony Babington, John Savage, Edward Windsor, Thomas Salisbury, Charles Tilney, Chidiock Tichbourne, Edward Abingdon, Robert Gage, John Travers, John Charnock, John Donne, John Jones, Mr. Barnewall, an Irish gentleman, and John Ballard, a clergyman. Besides these, there were two others, who, by secretary Walsingham's contrivance, were admitted among the conspirators, and made use of as spies, to give him intelligence, and, as occasion served, to encourage them in their enterprise: one was Mr. Maude, "a notable crafty dissembler, who had egregiously deceived the unwary priest, Ballard." The other was Mr. Pooley, "a cunning counterfeit and dissembler, who is thought to have revealed all their consultations, from day to day, to Walsingham, and to have egged on the young gentlemen in this desperate undertaking."[1] While the conspiracy was carrying on, the queen was privately presented with the pictures of the persons concerned in it. One she was acquainted with, viz., Mr. Barnewall, who appeared sometimes at court. When the plot was ripe for a discovery, there was no difficulty in seizing upon the delinquents; their names, haunts, and places of abode being well known to Walsingham. The particulars, they were charged with, were, attempting to release queen Mary, encouraging an invasion, seizing upon and assassinating queen Elizabeth. Seven of them confessed to the endictment, and were executed, September 20, 1586. The other seven stood to their trials, and, being convicted, suffered, September 21. "Pooley only of the number, though he were privy to all the business, yet, because he affirmed that he had revealed several things to Walsingham, was not arraigned."[2] It appeared upon their trials, that Mary, queen of Scots, had held a correspondence with Babington upon the subject of her delivery; but without any knowledge of what he and his accomplices were practising against queen

[1] Camden, in Kennet, ii. 515, 516.

[2] Camden, in Kennet, ii. 518.

Elizabeth's person or government.[1] However, she was charged with the whole, when she fell under prosecution, the year following; and, at the same time, the sanguinary laws were severely put in execution against all the catholics in general; but especially against the missioners, notwithstanding that they made a public disclaim of the late traitorous proceedings. Particularly, the English divines of Rheims, "published a sort of pastoral letter to the English catholics, not to disturb the government, or attempt any thing against the prince: that they should have recourse to no other expedient but prayers and tears: that these were the only justifiable preparations for christian subjects; and that fasting and devotion are the proper defences against persecution."[2] But it was in vain to make apologies, where their enemies were continually watching for opportunities of reproaching the whole body of catholics with misbehaviour. Babington's plot, both then, and ever since, has been made use of, to influence the people against them; and the whole college of apostles are become answerable for Judas's treachery. I am far from excusing the attempt of those rash gentlemen: much less can protestant writers excuse those that acted the devil's part in tempting them. Many circumstances

[1] [This is a mistake. In a letter to Mary, which Babington afterwards acknowledged to be his own, that conspirator expressly told her, that himself and his friends had determined, not only to liberate her from the power of her enemies, but also to "despatch" Elizabeth, the usurper of her rights (State Trials, i. 1174). I may add, that Dodd's authority, for the few facts which he mentions, is Camden (473—483): but that the reader should turn to Dr. Lingard (viii. 199—217), for a detailed and most interesting narrative of this important part of our history.—*T.*]

[2] Collier, ii. 599. [Dodd has here strangely misrepresented the tenour of the passage cited from Collier. That writer really says, that there were "some Englishmen" at Rheims, who to a belief in the deposing power of the pope had added a notion, that, to perish in an attempt to assassinate an excommunicated prince, was martyrdom: that Savage, afterwards one of the conspirators, had been induced by their reasonings to undertake the task of despatching the queen; and that, "at the same time, they published" the "pastoral letter," mentioned in the citation which Dodd has printed. It is clear from this, that Collier regarded the "Pastoral," not as an honest dissuasive, to be pleaded in favour of the catholic body, but as a deceptive document, put forth to cover the treasonable designs of Savage. That Collier is mistaken cannot be doubted; because such a publication could only have tended to frustrate the object of the conspirators, by alienating the catholics from their cause. Still, it is unfair to cite his authority for an opinion, which he evidently did not entertain.—*T.*]

plead for compassion on the conspirators' part; but that villainous association for destroying the queen of Scots, projected upon this occasion, has left such a blot upon the reformation as can never be rubbed off.[1]

The next public occasion of aspersing the catholics of England was upon account of the intended invasion, from the Spanish armada, in the year 1588. This famous armada consisted of 130 ships, 19,290 soldiers, 8,350 mariners, 2,080 galley-slaves, all under the command of Alphonso Perez de Guzman, duke of Medina Sidonia. Queen Elizabeth was well prepared, both by sea and land, to give them a reception. The earl of Leicester commanded 1,000 horse, and 22,000

1588

[1] [He alludes to the bond of association, signed at the instigation of Leicester, not "upon this occasion," but immediately after the execution of Throckmorton, in 1584. By it, the subscribers engaged to pursue "to the uttermost extermynation" not only all persons who should attempt, but also every individual, in favour of whose succession to the crown any other should attempt, the life of the queen. Mary, when she read the instrument, plainly saw that the latter part of the engagement was directed against her. However, in a letter to Elizabeth, she offered to join the association; but was given to understand that she would not be admitted (Sadler, ii. 431, 444, 445, 491; Camd. ii. 418).—Did Elizabeth know, what the reader will subsequently see, that Mary was not without an active participation in some of these attempts?

There is one point, connected with these conspiracies, which deserves notice. The reader will not fail to have remarked, that, among the offences charged upon the different prisoners, one, and not the least important, was, that they had encouraged an invasion from abroad. That invasion was to be conducted by the king of Spain and the duke of Guise: but it was to be supported by the influence and the money of the pope; and, for this reason, it has been constantly described as an unprovoked crusade against the religion of the country. This is unjust. That religion formed an object in the minds of the confederates, is undoubted: but that the liberation of the Scottish queen, the relative of one of the parties, was the first motive of their interference, is equally certain; and the only difference between Elizabeth and her intended assailants is, that *she* was already accomplishing, by the basest treachery, against another, what *they* were only meditating, by open invasion, against herself. To secure the reformation, she violates the rights of hospitality, seizes a sovereign princess, the heir-presumptive to the throne, and finally consigns her to a violent and painful death. To frustrate her designs, the princes in question project an invasion, declare that they will release and vindicate an injured queen, and resolve to atone to her for her sufferings, by placing her upon that throne, from which, however, her oppressor at length but too effectually excluded her. Under such circumstances, it will scarcely be said that the project was not justified by the conduct of Elizabeth. If religion entered into the views of the confederates, religion also formed a part in the designs of the English queen. At home, her treatment of Mary, abroad, her support of the huguenots against their sovereign, was prompted by this very motive; and it were strange indeed, if she alone were to be exempted from the operation of those principles, which she had been the first to establish, and the most eager to carry into effect.—*T.*]

foot, near Tilbury Fort; 20,000 men guarded the sea coast. The queen herself was at the head of 34,000 foot, and 2,000 horse, under the command of their general, lord Hunsdon.[1] Our strength by sea were 140 stout ships; while the Dutch fleet waited against any attempt from the Spanish Netherlands, where the duke of Parma had a considerable force ready to put to sea. Both the fleets met in the narrow seas, near the Isle of Wight. They began to engage, July 21, and, on three several days, fought with dubious success. On the 27th, the armada cast anchor opposite to Calais, where the English fleet attended very closely. At last, the Spanish ships, drawing too much water for those narrow and shallow seas, could not disengage themselves from July 28. the English fire-ships, which a favorable wind drove amongst them with great success. Another accident happened, to the great disappointment of the Spaniards: they expected to be succoured by a number of flat-bottomed ships, which the duke of Parma was to send in, from the several ports of Flanders; but these were not only detained by contrary winds, but also blocked up by the Dutch fleet. These disappointments put the Spaniards into the greatest confusion. Several of their ships were burnt and sunk; others cut their cables, and made the best of their way home; which they did, chiefly, by sailing round Scotland.[2] This is a short account of that formidable expedition, which proved very fatal to the English catholics, who fell under a general persecution upon that account. The penal and sanguinary laws were let loose against them. Great numbers were imprisoned, and above forty missionary priests were publicly executed in several parts of the kingdom; while both the pulpit and the press were employed in

[1] Camden, ii. 565. [The force under Leicester was to have consisted of twenty-seven thousand infantry, besides cavalry and lances, which would have raised it to twenty-nine thousand four hundred and eighteen. In point of fact, however, the parsimony of Elizabeth never allowed it to exceed fifteen thousand foot, and three thousand horse (Murdin, 611; Stowe, 743). Hunsdon's army, which was to have amounted to thirty-six thousand men, was never assembled. These things have been remarked by Dr. Lingard, viii. 273.—*T.*]

[2] Camden, ii. 571—579.

representing them as authors, and abettors of this intended invasion.[1] To wipe off this aspersion, we need

[1] [Whilst the armada was still only in preparation, and before its real object had been ascertained, it was suggested, as a measure of precaution against the chance of invasion, that all the principal catholics in the country should, on one pretext or another, be put to death. Elizabeth rejected the advice as cruel, and thus practically denied the charge of treason levelled against the proposed victims (Camden, ii. 566). At the same time, however, she hesitated not to deprive them of their liberty. Every jail in the kingdom was thronged with their persons: every pulpit rung with the denunciation of their principles. Still, their patience was not to be exhausted. With the memory of all that they had endured, with the smart of all that they were still enduring, with the rack and the gibbet to reward their patriotism, they read the bull of deposition which had been published against their sovereign; they saw the shores of their country surrounded by an armament commissioned to enforce it; they felt that the moment had arrived, when a breath might turn the balance in their own favour; and they generously flung aside the recollection of the past, and the resentment of the present, and flew to their country in her hour of danger. "In that agony of the protestant faith and English name," says Mr. Hallam, "they stood the trial of their spirits, without swerving from their allegiance" (Const. Hist. i. 219). "Some," says Hume, on the authority of Stowe, "entered themselves as volunteers in the fleet or army: some equipped ships at their own charge, and gave the command of them to protestants; others were active in animating their tenants, and vassals, and neighbours, to the defence of their country" (c. xlii.); while the very men, whom the queen had imprisoned, "not for any doubt that they would have assisted the enemy, but only to make it known to the Spaniards that there should be no hope to have any of them,"—these very men addressed letters to the council from their dungeons, spoke of Elizabeth as their "undoubted sovereign lady and queen," and offered to "adventure their lives in her defence against all foreign forces, though the same were sent from the pope, or by his commandment" (Letter to Mendoza, published by the government, and reprinted in the Harleian Miscellany, i. 138—156).

It might have been imagined that conduct, thus exemplary and magnanimous, would have obtained for the catholics a mitigation, at least, of the penal code. But unfortunately, the spirit of intolerance knows no gratitude. The laws, already enacted against the professors of the ancient creed, were enforced with redoubled vigour: measures of increased severity were framed, proclamations of the most irritating description were issued, and, for fourteen years, the term which elapsed between the present time and the death of the queen, the catholics continued to writhe under one unceasing and relentless persecution. Of the persons executed, from the 28th of August, 1588, to the 17th of February, 1603, for no other crime, than that they had been reconciled to the catholic church, or had harboured priests, or had been ordained in a foreign seminary, or still maintained the supremacy of the papal see, bishop Challoner has recorded the names and sufferings of no less than seventy-five clergymen, forty-nine laymen, and two women (Memoirs of Missionary Priests, vol. i.). Besides this, we know that the fines of recusancy, amounting, under a statute already mentioned, to 20*l.* a month, were rigidly exacted; that, in cases of default, the queen constantly availed herself of the power, granted to her by an act passed in 1587, to seize to her own use the whole of the personal, and two thirds of the real, property of the recusants (see Appendix, No. X.); that their houses were liable to be searched at all hours; that the most private performance of their religious rites was followed by fine and imprisonment; that even the small remnant of their property left by these proceedings was exclusively assessed for every extraordinary necessity of the state; and, finally, that, although they had

only to attend to the public and private intelligence of those times. The king of Spain's manifesto is a sufficient apology in their behalf. It sets forth, that he made this great preparation, to take a just revenge of the English, for having assisted the rebels in the Netherlands against their lawful prince; to call them to an account for the several depredations they had committed upon the coasts of Spain and America, for near seven years together; and particularly to maintain the common rights of mankind, in the case of Mary, queen of Scots, whom they had inhumanly put to death. As for English catholics, he was so far from engaging them in this affair, that he made no application that way; but, on the contrary, expressly refused to employ those few soldiers of fortune, who lived in his dominions; and though they were supported by him, he durst put no confidence in them.[1] By this it appears how unfairly

declared their allegiance, and engaged, if necessary, to defend their sovereign even against the pope, they were forbidden, under pain of total forfeiture during life, to remove to a distance of more than five miles from their accustomed dwelling (see Appendix, No. XI.)—Yet, in this case, as in that which preceded the invasion, in 1588, Burghley himself acknowledges that these people were punished, "not so much for doubt of any disloyal attempts by themselves, as to notify to the rebels and enemies abroad, that, whatsoever outward and inward trouble the enemy and the rebels would hope to stir up within the realm, they are not to look nor hope to have any assistance by those which shall be committed" (Strype's Whitgift, 327. See also Ling. viii. 294—297, and a subsequent article in the present volume, on prosecution).

Of the proclamations, to which I have alluded, the principal was that issued in November, 1591, by which the queen threatened to punish any householder who should venture to harbour, either as lodgers or boarders, persons refusing or neglecting to attend the established worship. It was answered by Persons, under the name of Andreas Philopater, in one of those violent and reprehensible publications, which furnished the government with but too plausible a pretext for questioning the loyalty of the catholics. An analysis of the book and of the proclamation may be seen in Butler's Memoirs of Eng. Cath. ii. 25—42.—*T.*]

[1] [In this passage, Dodd has evidently misunderstood Camden, who says, not that the English were *rejected*, but that they were *despised*, by Philip. In the army was a body of seven hundred English exiles, commanded by Sir William Stanley. Of the men, Camden says, not very correctly, that they were "omnium despicatissimè habiti:" of the commander, and other leading individuals, that their society was shunned, and their advice studiously rejected. "Nec Stanlæus qui præfuit, nec Westmorelandius, nec alii qui operam et consilium detulerunt, auditi: sed pro impietate in patriam, omni aditu prohibiti, et tanquam pessima auspicia meriti, non sine detestatione rejecti" (ii. 564).—I suspect that what Dodd calls "the king of Spain's manifesto," is, in reality, Camden's summary of the reasons, said to have been employed by the pope, the English exiles, and others, in order to induce Philip to undertake the expedition, ii. 561.—*T.*]

Mr. Echard represents the case, when he says, "In this fleet were also about a hundred monks and jesuits, under the superintendency of cardinal Allen, an Englishman."[1] That there were many priests aboard the armada, we may very well imagine; but that any of them were Englishmen, or that cardinal Allen was one of the number, is a groundless assertion of the historian. cardinal Allen was, at that time, in Rome. The priests, he was inspector over, were in the two colleges at Rheims and Rome, and neither of them within the dominions of Spain. The whole was entirely the king of Spain's own project; wherein neither the English catholics, nor the see of Rome, did any way concern themselves: for the duke of Parma publicly owned, "his master did not undertake any thing, on the bishop of Rome's account."[2]

[1] Echard, i. 868.

[2] Camden, ii. 570. [This is a strange misrepresentation of Camden's words. What the prince of Parma really said was, that he (Parma) was not about to act on the pontiff's behalf, but in obedience to his own sovereign: "Nec quicquam pontificis Romani nomine suscepturum, regi tamen suo obtemperandum esse."—I must add a few remarks on the other parts of this passage.

1st. That, at the period of the invasion, Allen was in Rome, is certain. Philip, after years of irresolution and delay, having at length resolved to revenge the insults and injuries, which he had received from the English queen, addressed a letter to Sixtus V., the reigning pope, informing him of his determination, and requesting the assistance of the Roman see, in the prosecution of his design. His great object was, to restore the catholic worship: he, therefore, solicited an aid in money, called for a republication of the sentence, already pronounced against Elizabeth, and desired that Allen might first be raised to the dignity of cardinal, and afterwards, should the expedition prove successful, be despatched, in quality of legate, to England, with a commission to reconcile the country, and confirm the conquest to the Spanish crown (Despatch at Simancas, cited by Lingard, viii. 271). Sixtus eagerly embraced the proposal. Allen was immediately summoned to Rome, and, on the seventh of August, 1587, was created cardinal. But he was not allowed to join the army, on its way to England. The pontiff waited for the result of the expedition; and, in the mean time, detained him near his own person, in the Roman capital. "His holiness," says Allen, "hath also, not for my deserts, but of speciall care and love of our nation, preferred me, beinge of your flesh and bludd, to this highe function; intendinge to send me as his legate, with full commission and commaundment to treate and deale, from time to time, as well with the states of the realme, as with his holynes and the kinges majestie, for the sweter maneginge of this godly and greate affaire, and with them to deliberate of all the beste meanes, how, with the leaste damage of our cuntrie, nobilitie, and gentrie, and beste perservation of the whole people, this godly purpose of restoringe the Catholicke religion, and putting the realme in order, as well for the title of the croune, as other controversies that may fall betwixt the churche and the common wealthe, or any membre therof, for what matter soever, since the time that heresie, schisme, and disorder began, may be acheived" (Allen's Admonition,

The English catholics standing clear of censure upon these public occasions, the attempts of particular per-

51, 52). "Alanum noluit Româ dimittere pontifex, priusquàm de belli successu constaret" (Epist. ad Pern. 110).

2nd. Having promoted Allen to the purple, Sixtus hastened to comply with the other parts of his engagement to Philip. The money—a subsidy of a million crowns—was collected, and ready to be paid, so soon as the invading army should have landed in England: the bull of deposition was drawn up and signed, ready for publication; and Allen was ordered to prepare an explanatory address, to be dispersed among the people, on the arrival of the armada (Strada, ad an. 1588; Tempesti, ii. 80). It is clear from all these facts, that Dodd is mistaken in the assertion that "the see of Rome" was not concerned in the project of the Spanish monarch.

3rd. Allen fulfilled the task allotted to him, in a pamphlet entitled, "*An Admonition to the nobility and people of England and Ireland, concerninge the present warres, made for the execution of his holines' sentence, by the highe and mightie Kinge Catholicke of Spaine.*" This publication, the most offensive, perhaps, of the many offensive libels, sent forth by the party to which Allen had attached himself, was printed at Antwerp, and, in a tone of the most scurrilous invective, denounced the character and conduct of the queen; portrayed her as the offspring of adultery and incest, a heretic and the maintainer of heretics, a persecutor of God's church, a lascivious tyrant, and an unholy perjurer; and concluded by calling upon all persons, "if they would avoide the pope's, the kinge's, and the other princes' highe indignation," if they would escape "the angel's curse and malediction upon the inhabitantes of the land of Meros," to rise against a woman odious alike to God and man, to join the liberating army upon its landing, and thus to free themselves from the disgrace of having "suffered such a creature, almost thirtie yeares together, to raigne both over their bodies and soules, to the extinguishinge not onely of religion, but of all chaste livinge and honesty." To increase the effect of this address, its substance was, at the same time, compressed into a smaller compass, and printed on a broadside, for more general distribution. It was called "*A Declaration of the sentence of deposition of Elizabeth, the usurper and pretensed Quene of Englande.*" When the expedition had failed, the copies both of this and of the "Admonition" were studiously destroyed, and few of either seem to have escaped. Of the "Declaration," however, I have the good fortune to possess one, a transcript of which I shall subjoin in the Appendix (No. XII.). The "Admonition" has been analysed, partly by Dr. Lingard (viii. 442—446, note P), and partly by Fuller (l. ix. 146). Its ostensible author was Allen, who inserted his name, as "Cardinal of Englande," in the title-page, and thus rendered himself answerable for its contents. Still, Watson, and others, constantly maintained that it was really penned by Persons; a charge which Persons himself, in his Manifestation (35, 47), rather evades than denies. In another work, however, he notices the accusation of his having "*helped* the cardinal to make his book," and to that replies at once, by denouncing it as a "lie" (Answer to O. E. p. 2, apud Warnword).

4th. I have mentioned the party with which Allen was connected. The reader has constantly heard of the conspiracies, formed among the catholic exiles, and having for their primary object an invasion of the realm. During the life of the Scottish queen, these were all directed to the ulterior purpose of placing that princess on the throne of England. But, after her death, the jealousies, which had already existed for some time, manifested themselves in open division. With different interests, different views presented themselves, and two parties, each with separate objects, were formed. The first, with Morgan and Paget at its head, looked to the king of Scots as the representative of his mother, and the nearest heir to the English crown. To him its members turned as to their

sons of their party, either against the queen or the government, ought not to be mentioned to their preju-

future and rightful sovereign; from him, and from his gratitude they looked for toleration, if not for encouragement; and, in the mean time, they sought to propitiate the existing government, by protestations of allegiance, by offers of personal service, and by communications, betraying the plans and proceedings of their opponents (Neville to Cecil, apud Winwood, i. 51). Those opponents were denominated the Spanish party. They acted under the direction of Allen and Persons; and their principal members were the fathers Holt and Creswell, sir Francis Englefield, sir William Stanley, Fitzherbert, and Owen. Their object was the restoration of the catholic religion, and, as a means of effecting this, the establishment of a catholic sovereign on the throne. At first, their views centred in the daughter of the Spanish king; and, to recommend her to the English nation, Persons, in 1594, published his "*Conference about the next Succession*," maintaining the right of the people to regulate the descent of the crown, asserting that the profession of a false religion was sufficient to justify the exclusion of the heir-apparent, and then, having enumerated the several persons, connected by their ancestry with the royal family, concluding, at least by implication, that the infanta, as a catholic, and the lineal descendant of John of Ghent, the son of Edward III., was the individual to whom the country ought to look, as the successor of Elizabeth (Camden, ii. 672—675. For several interesting letters, illustrative of the designs and proceedings of the Spanish party, at this period, see the Appendix, No. XIII.). The publication of this work was followed by another attempt at invasion from the Spanish monarch. Another fleet was equipped (1597); another disastrous failure ensued; and the infanta having married the archduke Albert, her friends began to despair of rendering her acceptable to the English nation (Camden, iii. 737—745, 777). The party now (1600) turned its attention to the lady Arabella Stuart. Persons, in his letter to father Holt, had formerly expressed a wish that the infanta should marry the cardinal Farnese, the brother of the duke of Parma, and a descendant, like Isabella, from John of Ghent. That prince was now selected to become the husband of Arabella. It was decided that their united claims would silence all opposition. Spain would scarcely refuse its assent: France would gladly prevent the aggrandisement of the Scottish king; and all would unite in acknowledging Farnese and Arabella as the undoubted sovereigns of England. Ridiculous as it may appear, Clement, when the scheme was proposed to him, gladly entertained it. He immediately signed two breves, one addressed to the English nobility, the other to the clergy, exhorting them to union, and forbidding them to aid the pretensions of any aspirant, who should not promise to uphold the catholic worship, to live in communion with the catholic church, and to pay that true obedience to the Roman see, which was rendered by every catholic monarch. These instruments were despatched to the nuncio at Brussels, accompanied by a letter, ordering him to watch the moment of the queen's death, and instantly to publish them. By the nuncio they were forwarded to Garnet, the superior of the jesuits in England, with similar injunctions: but the quiet accession of James rendered them useless; and Garnet committed them to the flames. See the Lettres d'Ossat, ii. 502—509; Butler's Memoirs, ii. 50—55; and Garnet's confession in Jardine, 277, 278. Of the two breves sent to England I am not aware that any copy has been preserved: that to the nuncio, together with a letter containing Persons' instructions to the same person, will be found in the Appendix, No. XIV.

5th. In a preceding note, I have censured the ungrateful cruelty of the government towards the loyal and unoffending catholics at home: in the present, it is impossible to avoid condemning the conduct of those fugitives abroad, who, by their treasonable writings, and not less treasonable practices, were thus seeking to overturn the government, and alter the succession to the throne. Of

dice. I am not ignorant, that, during queen Elizabeth's reign, four or five persons were brought to justice for

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the encouragement extended, as the reader has seen in the Appendix, to the trade of the assassin, I say nothing: the beings, who could resort to such means of accomplishing their purposes, belong not to society. But there were other and better spirits among them, men of bloodless, though mistaken, zeal, who would have gloried in wresting the crown from the enemy of their religion, but would have shrunk from the idea of becoming her murderers. To the minds of such men the importance of the object for which they struggled, the restoration of their religion, may have offered a sufficient justification for the violence of their proceedings. Yet they should have remembered the example of the apostles and the early christians: they should have recollected that their ministry was the ministry of peace, their duty, that of preaching, sacrifice, and prayer: in a word, they should have called to mind the suffering state of their persecuted brethren at home, and, placed in security themselves, should have hesitated to exasperate the government against those, who were still within the reach of its resentment.

6th. The reader will have remarked, that, in speaking of the "Conference about the Succession," I have described it unreservedly as the work of Persons. It has generally been regarded as the production of several pens; and Dr. Lingard has produced a passage from one of the letters of La Bauderie, the French minister, asserting that it was attributed to Persons only by his enemies, who sought, through that means, to render him obnoxious to the Scottish king (viii. 332). Mr. Oliver has taken even a higher ground. He has referred to Persons' own declaration, and has cited a letter from that writer himself, in which an attempt is made to fix the principal part of the authorship on Allen and Englefield (Life of Persons, in Collect. S. J.). Still, I am satisfied that the work was written exclusively by Persons; that it was afterwards, however, submitted to Allen, Englefield, and others, for their opinion; and that, with their sanction and approbation, it was finally published. 1st. The statement of La Bauderie was, of course, founded on what he believed to be the fact: but he could have received his information only from others, probably from Persons, or from Persons's immediate friends; and to his testimony, therefore, may safely be opposed the evidence which I shall presently subjoin. 2d. A copy of the letter cited by Mr. Oliver, the original of which is, I believe, at Stonyhurst, has been kindly forwarded to me by that gentleman. It is dated May 24, 1603, and is addressed to Garnet for the express purpose of engaging him "to procure some man not ungrateful to his majesty, to deal" with the king in behalf of the writer. Referring to some previous letters, it restates the grounds of his defence against the charges of his adversaries; speaks of his services both to James and to the queen of Scots; and then proceeds to the particular accusation, which had connected his name with the authorship of "Doleman." "I answer," he says, "most sincerely, that, as it appeareth by our late cardinal's handwriting, that he, together with sir Francis Englefield, and some others, were the chief authors of that book, so, whatever consent either I or other catholics of our nation had therein, it was of no aversion of minds or of good-wills from his majesty, for whom we had laboured so earnestly, so many years before, but only that, by laying forth other competitors besides himself, he might be drawn the sooner to be a catholic." Now, first, it will be remarked that the only two persons, whom he ventures to name, were both dead, at the period when he wrote; that the "others," of whom he speaks, are mentioned only generally; and that, although he evidently wishes James to believe that he merely *consented* to the publication, there is even here no real denial of his having been at least *among* the active co-operators in the work. In the next place, Allen died in 1594, Englefield only two years later:—if the

contriving her death. But, as it appears by their story (where I speak of them in particular), some of them

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former had written the avowal here described, why was it never mentioned before? Why are we not even now told to whom it was addressed? Above all, how comes it that Persons, who was repeatedly assailed as the author of this book, who, in his publications and letters, was continually endeavouring to remove the suspicion, and who, in his letter to the earl of Angus, in January 1600, had actually told the very same story of "Allen Englefield and others" (Plowden, 356), never until this moment thought of alleging the "cardinal's handwriting" in support of his assertion? Again, the letter tells Garnet that the book in question had been written, "*only* that, by laying forth other competitors besides himself," the king "might be drawn the sooner to be a catholic." But, on another occasion, Persons could assign a very different origin to the work. In a paper drawn up, in April 1597, for the express purpose of shewing that the right of James to the succession had not been more impugned by the author, than that of any other of the claimants, he undertakes to set forth the several reasons for which the book had been composed (las raçones por las quales se escrivio). The first was, to obviate the inconveniences of the law, by which the people were forbidden to discuss the question of the succession; the second, to expose the falsehood of the doctrine, which asserted that propinquity of blood, not orthodoxy in religion, formed the real title to the throne; the third, to prepare the catholics to act with promptitude and decision, when the death of the queen should render it necessary to appoint a successor; the fourth and last, to give to foreign princes, and especially to the pope, an opportunity of weighing the pretensions of the several competitors, and of taking such steps as prudence or necessity might require (Persons's Original MS. in my possession: there is a copy at Stonyhurst, MSS. Ang. A. ii. 26). The reader will see that the "*only*" reason, for which Persons would persuade James that the obnoxious treatise was published, is not even alluded to in this paper: and he will scarcely, therefore, be surprised, if, with this and other similar contradictions before me, I unhesitatingly reject the authority of the declaration to Garnet.

But what are the proofs, to fix the authorship on Persons?—1st. In 1596, Sir Francis Englefield was questioned, by some of his friends, as to the merits of the work. In reply, he drew up a paper, which is still preserved, enumerating the advantages likely to result from the publication, and combating the objections that might possibly be raised against it. This paper he commences, by stating that he had attentively read the book before it was printed; that Allen and others had done the same; and that it then appeared both to him and to them to be a work, whose learning would delight, and whose moderation ought to conciliate, every reader. "Id primùm affirmo, me eundem librum, antequàm ederetur, attentè perlegisse (quod et cardinalis quoque Alanus, aliique nonnulli viri præcipui nationis Anglicanæ fecerunt), visumque esse librum doctè admodum et accuratè scriptum, prudentèr etiam ac moderatè, ita ut neminem jure offendere lectio ejus possit" (MS. in my possession. There is also a copy of it at Stonyhurst, MSS. Ang. A. ii. 21). Hence we may fairly conclude, first, that Englefield and Allen were not, as has been supposed, its authors, and secondly, that to Englefield, at least, the real author was not unknown. 2d. The reader will recollect the paper (Appendix, No. XIII.) addressed by Englefield to the Spanish king, and containing his dying advice to that monarch. He there mentions two works by name,—the "*Responsio ad Edictum Reginæ*," published under the name of Philopater, and the volume on the Succession. The first he unequivocally attributes to Persons: of the second he, at first, seems to speak more cautiously: but he afterwards throws aside his reserve, and evidently connects it with those "other things, which the said father has written

were men of no religion, others of every religion; and, if any of them made a profession of the catholic faith, religion is not chargeable with their misbehaviour. I

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and done," in favour of the Spanish king. "Sabiendo yo el odio y aversion de todos los de la parcialidad Escossesa y Francesa le tienen, por pensar que es cabeça de los que favorecen a las cosas de V. M., tanto por el libro que escriviò contra il edito de la reyna, como por el otro que *se escrivio de la succession*, * * * *y por otras cosas, que il dicho padre ha escrito, y hecho, y haze, cada dia, de esta parte.*" 3d. In addition to this testimony of Englefield, we have the undoubted admission of Persons himself, to the same effect. The reader has seen, in the Appendix (No. XIII.), the letter which Persons addressed to Holt from Genoa, in March, 1597. By some means, this letter fell into the hands of the opposite party. Of course, their anger was roused: copies of the document were immediately made and circulated; and with them, a body of short, but severe, remarks was put forth, in one of which the writer, Dr. Percy, observed, that Persons, when he disclaimed any efforts in favour of the Spanish king, was in opposition both to himself and to the fact; seeing that he had published the book on the Succession, for the sole purpose of advocating the claims of the infanta. For some purpose or other, probably as a memorandum for himself, or for his confidential friends, Persons drew up an answer to these remarks; and the original draft of that answer is now before me. In that document, he notices the charge, to which I have referred; but, instead of denying his connexion with the book in question, clearly admits himself to be the author: he declares that malice alone could have discovered a contradiction in what he had written, and assures us that the object contemplated both in the book and in the letter, was, not to offer any specific conclusion in favour of the infanta, but simply to set forth the pretensions of the several claimants, in such manner as to enable the pope to come to a proper decision on the subject. I will subjoin Percy's note, with Persons's reply.

Note. È contrario à se medesimo, poiche, mostrando di non far cosa alcuna in favore del re di Spagna, mette inanzi nientediméno la pretensione della figliuola, et delli suoi figliuoli, che è una cosa medesima: et questo dimostra chiaramente il libro suo della successione, impresso l'anno '94, a spesa del Spagnolo, et perche, in questa medesima lettera, dipoi se resolve nella persona della infanta.

Reply. Qui se vede manifesta malitia; poichè il padre non se resolve in cosa alcuna; sì non propone solamente la persona della signora infanta da considerarsi si sarà buon mezzo per accordarsi il papa et il re, con altri principi: et nel libro della successione si fa il medesimo, proponendo solamente le ragioni per la signora infanta, insieme con quelle dell' altri principi pretendenti, per dar più materia à sua santità di farne buona elettione, ma senza determinare niente in particolare.

Notwithstanding the cautious use of the impersonal verb, "*si fa*," I think that but one conclusion can possibly be drawn from this passage.

4th. Nor is it only in his private notes or correspondence, that Persons thus admits the authorship in question. In 1602, two years after he had written to the earl of Angus, and only a few months before the date of his letter to Garnet, he published his "Warnword," in reply to sir Francis Hastings. To that work is prefixed a letter or answer to a "minister," designated by the initials O. E., in which the writer notices some personal accusations put forward by his opponent, and, among others, the charge of his having been the author of the eight following books:—1st. A collection of papers against his friends at Oxford: 2d. Leicester's Commonwealth: 3d. A Confutation of pretended fears, against Burleigh: 4th. Cardinal Allen's Admonition (in part): 5th. Philopater: 6th. Doleman's Treatise on the Succession: 7th. A Relation of the Dispute

might farther add, what some have observed, in perusing the trials of these unfortunate persons, they had not always fair play for their lives. Where abandoned wretches were countenanced to become evidence; where racks and tortures were applied, to force persons to make a confession, upon a view of saving their

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between the Bishop of Evreux and Plessis Mornay: and 8th. The Wardword, another and previous volume against sir Francis Hastings. With the first four of these works Persons says that he was never supposed to be connected: other persons, in fact, were known to be their authors; and the minister, in ascribing them to him, has consequently been guilty of "four lies positive." Of the other books *he says nothing:* but he assumes it as a fact, that the minister professed, or was bound, to give a complete list of his publications; and he accordingly proceeds to reprehend him for not having mentioned, 1st. The Reasons why Catholics refuse to go to Church: 2d. The Discovery of John Nicols: 3d. The Defence of this Discovery: 4th. The Epistle on Persecution: and 5th. The Christian Directory. These, he says, were written by him; these the minister has omitted; and here, therefore, there are "five lies privative:"—"so as, in recounting us here eight books, the minister telleth nine lies, four positive and five privative; no less falsely affirming the one, than fraudulently suppressing the other" (f. 2, 3). It is clear, that Persons, whose anxiety to swell the list of his opponent's transgressions could prompt him to resort to these "privative" delinquencies, would not have failed to extend the catalogue, by the addition of another "positive" falsehood, if he had thought that he might venture in public to disclaim the work on the succession.

5th. To these admissions I must still add the testimony of Anthony Copley. He was an English gentleman, a friend of the appellants, and, if we may believe himself, had been employed or induced by Dr. Bagshawe to write against Persons (Stonyh. MSS. Ang. A. iii. 48). At his own request, however, a reconciliation with the latter was at length effected. He saw Persons at Naples; stated to him the grounds of his former hostility; and, having received a satisfactory reply to each of his objections, at once retracted what he had written, and requested the forgiveness of the father. His next step was, to justify his conduct in this proceeding. With this view, therefore, he drew up a short abstract of his conversation with Persons; and placing one copy of this in the hands of Nicholas Fitzherbert, whom he exhorted to imitate his example, he delivered another to the English ambassador, with an entreaty that his excellency would judge favourably of his motives, and recommend him to the merciful consideration of his sovereign. It is in this paper, written with the express intention of vindicating both Persons and himself, that we find the important admission to which I am about to refer. Copley, in the course of his conversation, had charged Persons, first, with having written the book in question, for the purpose of advocating the Spanish succession; secondly, with having published it as the work of a person named Doleman, in order to render a clergyman of that name, a friend of the appellants, obnoxious to the resentment of the government. Persons, of course, denied both accusations. In the body of the work, he said, he had argued no more in favour of the Spanish monarch, than of the other competitors; and if, in the title-page, he had assumed the name of Doleman, it was not with a view to fix the authorship on the reverend clergyman so called, but solely to express the feelings of himself, *a man of sorrows*, at the contemplation of the miseries, already threatening his country from a disputed succession. "Quòd, in libro de successione, nihil pro Hispaniâ decreverit, ut legenti constabit; nec idcirco Dolmanni nomen appo-

lives; where persons acknowledged and denied the fact, accordingly as they were influenced by threats and promises; where the ministry was become infamous by practices of this kind, there is room to suspect, that some executions were more for reasons of state, than for the sake of justice.

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suerit, quò reverendum illius nominis presbyterum in discrimen seu vitæ seu libertatis vocaret, sed tantummodo epitheto illo insinuare authorem libri *virum dolorum* fuisse (hoc enim Anglicè vocabulum *Dolmanni* sonat), dum secum perpenderet quales tumultus regno et reipublicæ, ob tot competitores qui jus ad illud vindicant (uti fusiùs ibi prosequitur), immineret" (Stonyh. MSS. ibid. iii. 50).

It is true that the reason, here assigned for the adoption of the name of Doleman, is at variance with that, which he alleged in his letter to king James and which the reader has already seen in the Appendix (note on Persons's Instructions to the Nuncio, in No. XIV.). Still, the evidence for the principal point is complete. The authorship of the work is distinctly and unequivocally acknowledged; and the question of 'Who wrote the book of Succession?' may now, I think, be considered as satisfactorily decided.—*T.*]

ARTICLE V.

FACTIONS AMONG CATHOLICS.—CONTROVERSY RESPECTING OCCASIONAL CONFORMITY—DISTURBANCE IN THE ENGLISH COLLEGE AT ROME—ITS POLITICAL ORIGIN—IT IS SUPPRESSED—FATHER HOLT AND THE EXILES—BREVE CONCERNING THE ACADEMICAL DEGREE OF DOCTOR—DISPUTE AMONG THE PRISONERS AT WISBEACH—APPLICATIONS FOR BISHOPS—PROJECT OF A RELIGIOUS CONGREGATION AMONG THE CLERGY—INSTITUTION OF AN ARCHPRIEST—IT IS OPPOSED—THE CLERGY SEND DEPUTIES TO ROME—THE DEPUTIES IMPRISONED—THE ARCHPRIEST IS CONFIRMED—THE CLERGY SUBMIT—BUT ARE AGAIN DRIVEN TO APPEAL—THE APPELLANTS ASSISTED BY THE GOVERNMENT—AN ADMONITORY BREVE TO BLACKWELL—HE SUPPRESSES IT FOR SOME MONTHS—THE AGENTS OF THE APPELLANTS ARRIVE IN ROME—PROCEEDINGS OF THEIR OPPONENTS—TERMINATION OF THE DISPUTE—PROCLAMATION AGAINST THE MISSIONARIES—THEIR PROTESTATION OF ALLEGIANCE.

No cause in life was ever carried on, without a great deal of contention, even amongst the best of men. For, though their pretensions, in the main, were the same, yet domestic views often bore a great sway in their labours, and set them at variance. The apostolic and primitive ages were not exempt from these instances of human frailty; whereof we have a full account both in the sacred writings, and in other records of antiquity. It is true, the common cause seemed to suffer by such animosities: but such, as attended to the methods of Divine Providence, were so far from being scandalized, that they improved themselves upon such occurrences, and edified posterity by a proper behaviour. This was the case of the English catholics, in supporting their interest against the reformers. They all laboured strenuously in the cause of religion; of which they gave convincing proofs, both by their learned writings, and pastoral functions: yet, now and then, they suffered themselves to be divided into parties; and, from the nature of the controversies, it plainly appeared, they had a great regard to their own convenience.

The first debate amongst them, in the beginning of queen Elizabeth's reign, was upon account of occasional conformity. Several of the catholics made their ap-

pearance sometimes in the protestant churches, in order to screen themselves from the rigour of the laws against recusancy: others exclaimed against the practice, as an instance of notorious hypocrisy. Several tracts were published on both sides, and many conferences held upon the subject; till, at length, the case being proposed to the fathers in the council of Trent, they declared the practice to be unlawful. The generality submitted to this decision; and such, as were dilatory in complying, were soon after made sensible of their misbehaviour, upon the coming over of the seminary priests, who took a great deal of pains to redress the abuse.[1]

Another ground of contention among the missioners happened about the year 1579, when the English college at Rome was taken from the secular clergy, and delivered to the management of the jesuits. Many arguments were, and still are, made use of against this heterogeneous education of the clergy; and frequent

[1] [This subject will be mentioned more fully in the life of cardinal Allen, who first distinguished himself, whilst yet at Oxford, by his opposition to the obnoxious practice. Among the writers, who afterwards attacked it, were the fathers Garnet and Persons; the former, in his "Treatise of Christian Renunciation;" the latter, in two short publications, one entitled, "Reasons why catholics refuse to go to church;" Douay, 1601: the other, "De sacris alienis non adeundis," printed in 1607. At a much earlier period (1567), Sanders, in the preface to his "Treatise of Images," took the same course, and, by the strength and fervour of his address, succeeded in withdrawing many from the protestant places of worship. Dr. Ely, in answer to the assertion, that the practice was not opposed until the arrival of the jesuits, thus notices the work of Sanders:—"The which book," says he, "made many to abstain from their conventicles, and, amongst the rest (I give God hearty thanks therefore), I myself was one, and therefore can best tell which way, and from whom, it came, that I forsook the heretical church; which is now thirty-seven, or thirty-eight years past: at what time the name of the society was scarcely heard of in Oxford, I am assured. I speak not this to detract any thing from the virtuous, painful, and profitable labours and travels, which the fathers of the society have taken, in manuring the afflicted vineyard of our country; but, to give every man his due praise" (Brief notes, 67). Father Green, the correspondent of Bartoli, tells us that Garnet's work, which is without date, was, in his opinion, "printed in queen Elizabeth's time, against some few who were called '*Protesters*,' because they thought they might go to church with a protestation (that they come not for liking of the religion): and these afterwards growing to a greater number, father Persons was again forced to write on the same argument."—He adds,—"I think the person, who procured the decree of the council of Trent, was Mr. Derbyshire, dean of Paul's, afterwards admitted to the society." Stonyhurst MSS. Ang. A. v. 67.—*T.*]

remonstrances have been made against it. I have elsewhere given a full account, how this revolution happened. At present I shall only observe, that, as the clergy are great sufferers by the economy, so the conveniences are no less to those, that have them in subjection. It is no small advantage to the jesuits, to have the management of the temporals belonging to the clergy; and, on the contrary, no less a disadvantage to the clergy, to be documented by persons, of a different interest in the controversies of life.[1]

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[1] [Dodd seems to refer all the disputes and dissentions, which distinguish the early history of the English college at Rome, to the embittered feeling resulting from the transfer of that establishment to the hands of a jesuit rector. I am inclined to think that this is a mistake. That the recollection of the past may have tended to increase the subsequent irritation of the disaffected, is not unlikely: but that the irritation itself derived its origin from other causes, that other sources of alienation had been opened, and other instruments of discord had been brought into action, is scarcely susceptible of a doubt. From its connexion with the subject, I was induced, in the preceding article, to sketch the origin and objects of the two parties, which divided the catholics on the subject of the succession to the crown. On the one side, were ranged the jesuits, with Persons and others at their head: on the other, was a considerable number of the secular clergy, with what the event will justify us in regarding as the great body of the catholic population in England. Religion we may fairly believe to have been the object of both. But the means were political: political feelings produced political violence: opposition was met with opposition, aggression with equal aggression; and a sentiment of mutual jealousy and distrust was generated, which still continued to operate, when its causes had long been forgotten.

At the period, to which the present history relates, this sentiment was in all its activity, both in England and abroad. Of course, the college at Rome was not exempted from its influence. For some time, and from various causes, a spirit of discontent had existed in that establishment: under the superintendence of an inefficient rector, the discipline of the house had been relaxed; and impunity on the one hand, remissness and incapacity on the other, were producing their natural effects, when Persons published his Conference on the Succession. Unfortunately, this work was introduced into the college; and political excitement was now added to private animosity. In an instant, the flame was enkindled: the discontented openly ranged themselves under the banners of the Scottish party: the grievances, real and imaginary, which had formed the subject of complaint, were exaggerated to the utmost: particular wrongs were aggravated by the recital of public injuries: the opposition of the other party was denounced as tyranny, its actions as the offspring of ambition; and a demand was made for the recall of the fathers from the English mission, for their removal from the government of the college, and for an alteration in many of the principal rules of the establishment (Persons's Story of Domestical Difficulties, 136—149. See Appendix, No. XV.). The first impulse of Aquaviva, the general of the jesuits, was to yield the point at Rome, and to abandon the superintendence of the college. The rumour, however, of this design alarmed the advocates of the Spanish interest. Dr. Barret, the president of Douay college, who was in Rome at the moment, hastened to the pope, and, "in the name of every missioner, and every catholic in England, in the name of the colleges, and the martyrs, and the English church," implored the pontiff, as he valued the cause

The effects of this kind of education appeared very visibly among the missioners in England, about the year

in which they were engaged, to prevent the resignation contemplated by the general (Letter from Barret to Persons, Sep. 29, 1596. MS. in my possession). At the same moment, letters, containing a similar petition, arrived from various quarters. Stapleton addressed both the general and the protector from Louvain (Hunter, Append. Nos. 3 and 4): the professors of Douay wrote from that seminary (Story of Domest. Difficul. 171): the duchess of Feria, Englefield, and the leaders of the party in Spain, joined in the entreaty (ibid. 61, 62); and the matter was still in suspense, when Persons, who considered the removal of the jesuits as likely to prove destructive of the best interests of England (ad illius regni salutem perniciosa, ibid. 170), arrived in Rome. This was in the beginning of the year 1597. His influence and his address seem to have revived the hopes, and won the confidence, of all parties. He listened to the complaints of the scholars; discussed with them the subject of their grievances; and, having promised them redress where it was practicable, engaged them ultimately to acquiesce in cheerful submission to his judgment. Of the scholars, three, by his advice, were afterwards despatched on the English mission: ten were removed to Douay, to finish their studies in that seminary; and, in the meantime, the thanks of the students, and the congratulations of his friends, acknowledged the service which he had rendered to the cause (Original letters in my possession; Persons's Story of Domest. Diff. 178, 179; and Stonyhurst MSS. Ang. A. ii. 31. See also Appendix, No. XVI.). The Story of Domestical Difficulties is a MS. fragment of a larger work, and embodies the reasons and statements, which Persons afterwards presented to the pope in vindication of the rector and of the society, and in opposition to the demands of the scholars. A MS., bearing the same title, and relating to an earlier period, is, I am told, at Stonyhurst: probably it is another part of the same work.

It is only in connexion with this subject, and as an illustration of the political origin of these differences, that I am induced to refer to another and simultaneous dispute among the catholics in Flanders. William Holt, a member of the society, and a zealous advocate of the Spanish succession, was employed in Brussels, as the agent of the king of Spain, and the administrator of the funds, devoted by that monarch to the support of the exiles. He was a man of character and talent: but the austerity of his manners was embittered by the violence of his politics; and the "tyranny" of father Holt soon became a topic of loud and unceasing complaint, among the members of the opposite party. Holt, however, though condemned in private, by his friends, for the severity of his demeanour, was still publicly defended by them against the attacks of his opponents. Hence, by degrees, the hostility, first pointed against the individual, was at length turned against his party. Political animosity was converted into religious discord: charges and recriminations followed each other in rapid succession; and almost at the same moment that the students at Rome were denouncing the conduct, and calling for the removal, of the fathers, the exiles in Flanders were besieging the pontiff with their complaints, and enforcing, by their petitions, the prayer of the scholars against the society (MS. in my possession). To counteract these efforts, the jesuits naturally turned to the evidence that was proffered by their friends; and two papers, declaratory of the zeal and prudence, both of the fathers in general, and of Holt in particular, were drawn up, and circulated for subscription. The first was signed by seven of the superiors of Douay: the other, by eighteen clergymen, and ninety-nine laics, including soldiers and women. With the means, by which some of these signatures were obtained, no less than with the nature of many of the signatures themselves (that of Guy Fawkes was amongst them), there is every reason to be dissatisfied. However, the matter seems to have been partially examined by the cardinal

1595; especially in the castle of Wisbeach, where, a great many of them being kept prisoners, a scandalous rupture happened amongst them. The case in short was this: some of the young missioners, who had been edu-

archduke Albert. Of the charges against Holt, some were thought to be unfounded, some were trivial, and others doubtful. Instead of being removed, he was admonished to be more conciliating in his manners; and, for the present, the dispute was allowed to slumber. It is right, however, to add, that the decision, as to the merits of the charges against him, was framed in accordance with the private report of father Oliver Manareus and Don —— de Tapis: that this report was founded, not so much on the evidence of facts, as upon a wish to prevent an inquiry, that might be injurious to the society; but that, at the same time, Manareus was strongly impressed with the conviction, that no permanent tranquillity could be established, until Holt was removed from Brussels. The real motive of his retention, as assigned by Persons, evidently was, that his services were deemed necessary to the promotion of Ferdinand's designs against England (See Appendix, No. XVII.).

There is another subject, to which, before I close this note, it is necessary to refer. Soon after the suppression of the disturbance in the English college at Rome, it was represented, either to the pope or to the protector, that, in consequence of some abuses which had latterly prevailed, it would be advisable to impose a certain degree of restriction on the power of granting and taking the academical degree of doctor. It was said that, owing to the facility with which this honour had been hitherto attained in the foreign universities, men from England, without age and without learning, had been able to acquire it; that, by this means, both the degree itself, and the whole body of the clergy, had been degraded in the estimation of protestants; and that, what was scarcely less pernicious in its consequences, the aged and the venerable labourers of the mission, men whose circumstances alone had placed them beyond the reach of the same distinction, were thus doomed to experience a continual recurrence of mortifications, to see their inferiors in talent and acquirement preferred before them, and to give precedence to those very youths, of whose infant or whose early years they had themselves, perhaps, been the instructors. It was to remedy these evils that Clement the Eighth, on the nineteenth of September, 1597, published his celebrated decree. By it, he declares that, so long as England shall be separated from the communion of the Roman see, no English divine shall be permitted to pass the degree of doctor, unless, in addition to the four years usually dedicated to the study of theology, he shall further have employed a similar term, in "perfecting and consolidating" his knowledge: he orders that the fitness of each candidate shall be attested, by a written certificate from the president of the college where he has studied, and from the protector or vice-protector of the English nation; and he pronounces a solemn sentence of excommunication against any person, who, in contravention of the present ordinance, shall presume to take out the degree, either before the expiration of the appointed time, or without the necessary testimonials (See Appendix, No. XVIII.). The promulgation of this decree produced considerable excitement among a large portion of the clergy. Connecting it with the late events in the English college, they regarded it as a species of retaliation, and persuaded themselves that it was a scheme, devised by the jesuits, for the purpose of degrading the secular clergy. But they were evidently mistaken. The tendency of the regulation was, to redeem the body from disgrace. It provided that the substance and the name of learning should be united: it preserved youth and age in their relative and true positions; and it secured respect for an academical degree, with which protestants were ever accustomed to associate the idea of age, of learning, and of talent.—*T.*]

cated under the jesuits, were persuaded by one father William Weston (one of that society, and the only jesuit in Wisbeach prison) to admit of certain rules, as to hours of rising, eating, studies, &c.; whereby, as far as circumstances would permit, they might appear like a college, or regular community. Father Weston, accordingly, was furnished with a plan from Henry Garnet, the superior of their order, then residing in London. At first the proposal was looked upon as a very good expedient, in order to promote virtue and learning among them. But Dr. Windham, Mr. Metham, Mr. Bluet, and others of the ancient missioners, that were prisoners, apprehending, that this new scheme would be a means of dividing them into parties, and prove prejudicial to the clergy, positively refused to come into the project. However, the young missioners were determined to carry it on; and, to prevent any one's taking umbrage, as if the jesuits sought their convenience in this affair, Mr. Dryland, a clergyman of no remarkable qualifications, was to be head of the community. But this Dryland, being an entire creature of the jesuits, made the old missioners still more suspicious of some design. In the meantime the project went on; but the parties not agreeing, there was a separation, as to goods, diet, and common purse. The number of prisoners, in the whole, were thirty-four, whereof nineteen were for the new regulation, the rest refused to comply. It was alleged by those of the dissenting party (whether justly or not, I shall not determine), that father Garnet made use of this stratagem, to bring the clergy into subjection to the jesuits, and to get into the management of the collections, that were made all over England, for the support of the prisoners. Thus far it had its effect, that father Weston, having had several sums of money paid into his hands, took care, that only such should partake of the distributions, as conformed to the new discipline; by which means, it was supposed, that the rest would be starved into a compliance. Violent disputes happened among them upon the separation; which in a little time were carried

all over the kingdom. In order to make up the breach, several ancient missioners, who enjoyed their liberty, and had been employed in making collections, took a journey to Wisbeach Castle. The chief of them were Dr. Bavant, Mr. Dolman, Mr. Mush, and Mr. Dudley. Their years and experience gave them authority to speak their minds freely to both parties. They did not dissemble the passion and aggravating speeches of those that opposed the new regulation; but, at the same time, took the same liberty, in reflecting upon father Weston's behaviour. They owned the scheme in itself to be commendable; but that it was an imposition upon persons of singular parts and merit, who ought to have been more attended to, in a thing of that nature; that, as the case stood, it manifestly tended towards a breach of charity; and, in fine, that there was some appearance of ambition and usurpation in those, that were the contrivers; especially if it was true, what was reported concerning father Garnet, who, being informed of the opposition made by the clergy against the new regulation, was pleased to observe, that it would conduce very much to the good of the catholic cause, if the clergy were to be under the direction of their society, not only in the colleges, but also when they returned into England upon the mission. This is the substance of the account, which I have abridged from several pamphlets and manuscripts, written by those that were upon the spot.[1]

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[1] [There are some inaccuracies in this part of Dodd's narrative, which it is necessary to notice, before I refer to the main question of the dispute, which he describes. 1st. The project of placing Dryland at the head of the prisoners was wholly unconnected with the present dissention. The idea was suggested by Weston, in 1587; it was proposed for the adoption of his fellow prisoners; but, being disapproved by the majority, was laid aside. Dryland was the confessor of Weston (True Relation, 3).

2d. Metham, or Mettam, who was a jesuit, was alive at the period when Dryland was proposed for the superior; but he had died nearly two years before the present transactions. Windham was not among the prisoners (ibid. 17).

3d. Besides Weston, Thomas Pound, a layman, but a member of the society, was confined, at this period, in Wisbeach. Including him, the number attached to Weston was nineteen; making a total of twenty, out of thirty-three, the whole number of prisoners (Persons, Brief Apology, 66, 69.)

The event, here described by Dodd, is one of those unhappy differences, that mark the character of the age to which they belong. To understand it

Another grand contest among the missioners happened in the year 1598, and continued for a consider-

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thoroughly, we must consider the circumstances of the several parties. Originally introduced as the assistants, the jesuits, with the advantage of a resident superior, had gradually become the most influential members, of the English mission. They possessed more extensive faculties than the clergy. They were attached to the principal families, were consulted by the catholics in their principal difficulties, and were the medium through which the funds, for the maintenance both of the clergy and of the poor, were chiefly administered. The younger missioners, educated in the colleges of the fathers, and still looking to them for support, naturally placed themselves under their guidance: the elder clergy, on the other hand, superseded in their authority, and deprived, in a great measure, of their influence, regarded the members of the society in the light of rivals. In addition to this, the political feelings, mentioned in the preceding note, were at work. Human nature, on both sides, yielded to the impulse. What one sought to recover, the other sought to retain and enlarge: the jealousies of the college were extended to the mission; and each believed, or sought to make others believe, that his opponents were the destroyers of religion.

With these sentiments, and under these circumstances, the parties alluded to in the text met in the castle of Wisbeach. The attempt of Weston to establish a superior, in the person of Dryland, has been mentioned: it was succeeded, at intervals, by other proposals of a similar description: but, like the first, they were rejected by the prisoners; and, for seven years, the general peace of the community seems to have been undisturbed (True Relation, 5; Moore, 143). At length Weston, who had previously arranged his plans with his adherents (re diù apud se deliberatâ, et cum nonnullis etiam communicatâ), was suddenly missed from the table in the common hall. His absence, which had continued for several days, became the subject of various remarks: these remarks were mentioned to him; and he at once declared that, unless his companions would submit to some regular mode of life, his conscience would not permit him again to join their society. About the same time (January, 1595), a letter, subscribed by eighteen of the captive clergymen, the friends of Weston, was addressed to Garnet. It denounced the conduct of the remaining portion of the prisoners; charged them with the grossest violations of morality; and requested such counsel and assistance from their chosen adviser, as would best enable them to avoid the scandal that must attach to the disorders of their companions (Persons, Brief Apol. 71). Persons, though he carefully describes the contents of this address, makes no mention of the answer; and Garnet himself, in his subsequent letters, carefully avoids all allusion to this part of the correspondence. A few days later, however, the same parties assembled, and, having drawn up and subscribed a body of rules for their future government, immediately elected Weston for their superior. But Weston demurred to the appointment. The burthen, he said, was beyond his strength. He was a religious man: he owed obedience himself to a superior; and, if they wished him to sacrifice his own feelings by accepting the office, they must obtain the consent of that superior. To Garnet, of course, they now applied (Feb. 7), stating that they had spent "the last three days" in deliberation, informing him of the result, and imploring him to ratify their selection of Weston, by yielding to it the sanction of his authority. Garnet, though he foresaw the opposition that would be raised, was unwilling, so he informs us, to reject their petition. He gave, therefore, a qualified assent. He allowed Weston to preside, but ordered him to exercise no authority: he required all acts of power and correction to be performed by the joint suffrages of the company; and he expressed a hope that, as offence was likely to arise, they would so regulate their conduct, as not to permit the odium

able time; the occasion whereof was this. No care had been taken by the catholic party, to provide themselves

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to fall upon Weston. It was some time before these proceedings became known to the opposite party (True Relation, 12, 14). After they were discovered, Dr. Christopher Bagshawe, the leader of the dissidents, wrote to Garnet, complaining that Weston and his friends, by withdrawing from the society, were reflecting on the character, of the other prisoners; and calling on him, as the author of the separation, to exert his influence in reestablishing the harmony of the place. Garnet's reply is still preserved, and will be given in the appendix. In it, he assures his correspondent that no censure was intended to be cast on the conduct or reputation of the other party. Weston and his friends had mistrusted their own virtue; they had associated for their own improvement; and had confined their accusations to their own frailties. For himself, he was neither the author nor the approver of the separation. He had merely yielded to the entreaties of those, who must have understood their own necessities; and he could not now venture, without further information, to disturb the arrangement that had been made. "Let me exhort you, then," he continued, "by the charity of your Redeemer, though separated in body, to be united in affection. Suffer your brethren to adopt a rule, which no law forbids, no vow has rendered criminal: and, in the mean time, continue to pursue your own course, regulate your actions according to your own views, and live, *as you hitherto have lived*, in a manner worthy of the learning and the piety of the priesthood."—Garnet forgot, when he wrote this, that, in the preceding July, he had not only declared the opponents of Weston to have been habitually guilty of almost every species of immorality, but had concluded his report by significantly reminding the general of the order, that the very man, whom he was now addressing as his "dearest and most loving" friend, had, in earlier life, been "*deservedly* expelled from the Roman college." See Appendix, No. XIX.

I should exhaust the patience of the reader, were I to detail the whole of the proceedings, the negotiations commenced and broken off, the disputes and contradictions, the charges and recriminations, the disorder and the violence, which, for more than nine months, continued to distract this unhappy community. It is sufficient to say, that the scandal, produced by the affair, had already filled the country, when two of the more ancient of the clergy, Mush and Dudley, hastening from the north, undertook the office of mediators. Having failed in their first attempt to reconcile the parties, they sought and obtained an interview with Garnet. That person, in his letter to Bagshawe, had lately refused to interfere: if we may believe his opponents, he now repeated his refusal, and accompanied it with the expression, which Dodd has recorded, as to the propriety of placing the clergy under the government of the society. In the course of the conversation, however, he gradually relaxed: before it terminated, he came into the views of the pacificators; and, at its conclusion, he undertook to write to Weston, and prepare the way for an amicable adjustment of all differences. Every serious obstacle was now removed. A new code of rules was immediately drawn up and signed: on the sixth of November, the prisoners assembled again at the common table; and, two days later, Garnet received the thanks and congratulations of all parties. True Relation, 36—40. See Appendix, No. XX.

Before I conclude this note, I must be permitted to say a few words on the declaration attributed to Garnet, respecting the government of the clergy. I have already intimated that it rests only on the authority of his opponents: I may add, that we are told nothing of the precise circumstances, under which it is said to have been uttered, nor of the particular observations, by which it may have been elicited. Still, I am not disposed entirely to reject it. When the students at Rome petitioned for the removal of the fathers from the English

with pastors of the episcopal character, as the old ones dropped off. The last bishop, that remained of the ancient stock, was Dr. Watson of Lincoln, who dying in 1584, his loss was very much lamented, both upon account of the sacrament of confirmation, and for other matters regarding government and discipline. Indeed, while cardinal Allen lived, he was the general inspector over the missioners: but, then, he was unserviceable, as to the immediate parts of the episcopal character; and he dying in 1594, the body of English catholics were become a flock without a pastor. Father Robert Persons, an English jesuit, was the chief person in credit at Rome, upon the cardinal's decease, and commonly advised with, in all matters relating to the English nation. The clergy applied themselves frequently to the pope, desiring to have one or more bishops to remedy the inconveniences they lay under.[1] Father

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mission, Persons undertook to oppose the prayer, and to assign the reasons for its rejection. The society, he assured the pontiff, was essential to the existence of religion in this country. To the laity its members were necessary, to counsel, to strengthen, and to protect them; to the clergy, to support, to correct, and to restrain them. Already the latter, by their vices and their apostacy, had become objects of aversion or of distrust to the catholics. Were the fathers to be removed, the people would be left without advisers, the clergy without guides; the salt would be taken from the earth, and the sun would be blotted from the heavens of the English church. "Certè, quisquis infelicissimo illi regno societatis operam aufert, ille planè totius illius terræ salem, imò et afflictissimæ illius ecclesiæ solem tollere videtur" (Domest. Diff. 166—169). When Persons could deliberately express such an opinion of the relative merits of the two parties, the sentiment attributed to Garnet, and, perhaps, uttered under the excitement produced by opposition, ceases to be improbable.—*T.*]

[1] [The first step taken by the clergy, with a view to remedy some part of these inconveniences, was an attempt to establish a congregation, or fraternity, which was to unite the members, and regulate the concerns, of the general body. It was projected by Mush and Colleton, on the principle of a voluntary association, soon after the pacification at Wisbeach. It was to have had two independent branches, one in London, the other in Lancashire; each was to have been governed by its own officers, but each to have been subject to the same laws. By those laws it was decreed, that the affairs of the congregation should be entrusted to the management of a person to be called the "*Father*," aided by two assistants and a secretary, all to be elected annually by the majority of the members. Their duties were, to administer the funds of the society, to assign relief to its indigent brethren, to preside at the meetings, and determine the disputes, of the fraternity. Other matters were to be decided by a plurality of voices. The members were to employ their influence, in procuring permanent missions for the clergy belonging to the congregation: they were to be the guardians of each other's fame, the correctors of each other's failings, and were, each, to seek, by prayer and recollection, to improve themselves in the virtues of their state (MS. Rules in my possession, endorsed by Persons, with the title in

Persons, being consulted, went willingly into the project; but afterwards, apprehending some difficulties in

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the handwriting of Garnet. A translation, by Persons, is at Stonyhurst, MSS Ang. A. ii. 32. See also Colleton's Just Defence, 123—125). In what may be called the machinery of this institution, there was much that was faulty. Some of its rules were impracticable; others were calculated to place its members more immediately within the reach of the pursuivants. Still its object was laudable: its effect, moreover, could it have been perfected, must have been to raise the character, and restore the influence, of the clergy: nor did it contain any thing to justify the violent and offensive language, with which Persons, both in manuscript and in print, in England and to the pope himself, continually assailed its projectors. See Brief Apology, 90; and Stonyhurst MSS. Ang. A. iii. 11, 17. I subjoin the preamble to the rules, which Persons, in his translation, has omitted:—

"Among other things, which, in these unfortunate days of heresy, have been wished by many good zealous persons, as convenient for promoting our country's salvation, and setting forward God's holy word (the catholic cause) within this realm, before all other *that* hath been much desired, that catholic priests, sent into this harvest of God, would unite themselves, and agree upon some sweet course and order, such as their own wisdoms might judge expedient for better advancing God's holy cause, the firmer construction of mutual concord, peace, and love amongst them, the easier preventing of all inconveniences, which, by human frailty might happen, and the catholic people their greater comfort and good. For albeit our Lord, in the abundance of his infinite and singular mercy to our nation, for reducing it from heresies into the holy bosom of his catholic church, hath, far above the reach of man's wit and expectation, begun amongst us an apostolic course, and inspired into the hearts of children a sincere and religious zeal (no less marvellous in the eyes of all the world than extraordinary) with loss of their temporal lives to preach his holy faith to our people, yea, and, in his inscrutable providence, hath not, in all these years, hitherto sent amongst us any one, with preeminence to govern and keep order in the rest, yet should not man thereupon either, dangerously presuming upon his own sufficiency in his labours, contemn or neglect the assistance of his brethren, or think it needless that, agreeing in some indifferent order, we endeavour to live accordingly. It is said of men, that, shunning the advice of communion and fellowship of their brethren, please themselves in their own abilities, "*væ soli, quia*," &c.; and again, "*væ vobis qui sapientes estis*," &c. Of Christ's own apostles and christians of their time also it is manifest that, notwithstanding they had singular assistance of the Holy Ghost, and were abundantly endowed with all graces, yet they united themselves in an order and course of life and proceeding common to all, "*ita ut multitudinis credentium esset cor unum et anima una*," to the vanquishing of all the enemies of God: which glorious example of theirs may rightly now-a-days be thought so much more necessary for catholic priests in England to imitate in some convenient sort, by how much in like apostolic enterprise they being no less frail and subject to human infirmities than those saints were, but want great portion of their graces, and live here all equals, without superior to direct and guide them in their labours. Some inconveniences have happened; and it is a marvel that we have seen no greater: but what benefits we have lost, and what harms have come both to priests and people and the common cause, through want of more union of minds, in orderly proceedings, none can easily express or imagine. For the glory of God, therefore, hoping thereby the greater good and more certain benefit to ourselves, the catholic cause, and people under our charge, we, whose names are subscribed, upon mature deliberation have agreed to prescribe unto ourselves these orders following: in which enterprise, as we condemn or mislike none that, upon

the execution, he fell upon another project, which being communicated to cardinal Cajetan, protector of the English nation, it took effect.[1] The proposal was, that the clergy should be under the government of a simple priest, bearing the title of arch-priest, and enjoying episcopal jurisdiction. This method, as it was alleged, would give less offence to the queen and government. Accordingly, cardinal Cajetan thought himself sufficiently empowered, by the strength of his protector-

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reasonable cause known to themselves, join not with us, so we hope again that none will uncharitably judge or condemn us herein. '*Unusquisque in suo sensu abundet, modò pax et fraternitatis charitas solicitè retineantur.*' For our parts, we wish and intend no other thing hereby, but God's honour, the furtherance of his church's cause, with perfect unity and concord amongst ourselves, by the mutual offices of love, comfort, and succour, one towards another."—*T.*]

[1] [Persons had long advocated the appointment of an episcopal superior. In 1580, he had written to Agazzarius, the rector of the English college at Rome, describing the spiritual necessities of the English catholics, and expressing a hope that a bishop would speedily be nominated (Hunter's Modest Defence, 67). Eleven years later, so he assures us, he renewed the subject, and actually obtained from the munificence of the venerable prelate of Jaen, Don Francesco Sarmientos, the promise of a competent support for two or three bishops (Brief Apology, 101). Why no further steps were taken we are not told. When, however, he arrived in Rome, at the beginning of 1597, the matter was again pressed on his attention. The association, mentioned in the preceding note, had just been projected: the parties, likely to be placed at its head, were the avowed opponents of the society; and he immediately, therefore, presented a memorial to the pope and cardinals, praying for the appointment of two bishops *in partibus*, and suggesting that, while one should reside in England, as the immediate superintendent of the clergy, the other, with archiepiscopal powers, should be fixed in Belgium, whence he would be able to communicate, without difficulty, with his suffragan in this country (Colleton, Just Defence, 125. See Appendix, No. XXI.). Persons, in taking this step, seems to have acted from the impulse of the moment. Reflection, however, persuaded him that the paramount object of his party, the choice of a successor to the throne, might be more surely promoted by a different arrangement. If the secular clergy could be subjected to the control of a single superior, and if that superior could be made entirely dependent on the society, it was clear that, when the proper moment should arrive, the influence of the whole body might be exerted in support of his favourite design (Memorial, apud Lingard, viii. 391. "La stessa institutione (del arciprete) fu drizzata specialmente alla promotione delli disegni del re di Spagna contra quel che alhora era il vero pretensore, et adesso è il possessore, di nostra corona." Stonyh. MSS. Ang. A. iii. 38). The idea of bishops was now abandoned: another project was suggested; and, in the course of a few months, the scheme mentioned in the text was adopted. It is only necessary to add that, though a fear of offending the government was the pretext publicly alleged by Persons (Brief Apol. 99[b].) for the refusal of bishops, yet the known wishes of Elizabeth and her ministers, *in favour* of such an appointment, was the reason assigned to the pontiff for the establishment of a different form of government. Plowden's Remarks on Berington's Panzani, 123. See also Persons's Memorial against the appointment of more than one archpriest. It was written four years later, and is printed in No. XXXIV. of the Appendix to the present volume.—*T.*]

1598 ship, to establish this new kind of economy; and, Mar. 7. issuing out a constituent letter, in the year 1598, he appointed Mr. George Blackwell, a clergyman, to take upon him the title of arch-priest, who, with a certain number of assistants, were to manage the concerns of the clergy.[1] This matter being carried on privately, without the knowledge or advice of the chief persons among the clergy, they were hugely provoked at it, and took the liberty to stand off, till they had been heard at Rome.[2] Soon after, they deputed two of their

[1] [See the letter in the Appendix, No. XXII. The writer begins with a feeling allusion to the sufferings of the English catholics, speaks of the dissentions which had, for some time, prevailed among them, and says that he had been commanded by the pope to employ his utmost diligence, in seeking to restore tranquillity. The clergy, he says, had prayed, the pontiff had approved the prayer, for the establishment of some system of ecclesiastical subordination. He therefore (the protector) deputes Blackwell to preside, in the character of archpriest, over the secular clergy: he gives him unlimited power to restrain or revoke their sacerdotal faculties, to remove them from place to place, to prescribe rules for their government, and to suspend or deprive them, if they prove refractory: he assigns to him six persons, in the subordinate capacity of assistants, and authorises him to appoint six others, to act in conjunction with the former; and he concludes by exhorting him to enforce ecclesiastical discipline, to promote union among all classes, and especially to cherish a feeling of brotherly affection towards the fathers of the society, "who neither have, nor pretend to have, any portion of jurisdiction or authority over the secular clergy." With this letter, however, was despatched a secret instruction, enjoining the new archpriest, in all matters of importance, to be guided by the advice of the superior of the jesuits.

That the cardinal did not issue this instrument, as Dodd asserts, on the mere "strength of his protectorship," we are assured by the pope himself. Still, that it was informal, that it professed to emanate from the protector's own authority, and that it afforded no evidence to show that the particular scheme, which it contained, had been devised with the approbation, or even with the knowledge, of the pontiff, is undoubted. This fact alone sufficiently justifies the opposition with which it was encountered.—*T.*]

[2] [It is right, however, to observe that, though they demurred to the legal authenticity of the instrument, under which Blackwell was appointed, they did not refuse to yield obedience to his authority, during the interval of their appeal (See Colleton's Just Defence, 270, and Mush's protestation, in the Appendix, No. XXIII.).

It has been said that the number of dissidents was small: but this is correct only as regards those who publicly distinguished themselves by their opposition. As Mr. Butler has remarked, the secular clergy generally were dissatisfied with the appointment of the archpriest, though, from motives of timidity, or a wish to be undisturbed, they forbore to take an active part against him (Mem. ii. 257. See also Colleton, 159; the Defence of Bishop, at the end of Ely's Brief Notes, 5; and Persons's letter to Dr. Pitts, Stonyh. MSS. Ang. A. ii. 58, in which he complains that the doctors Ely and Pitts, "so great and principal men of our nation," were amongst the opponents of the new government). Among those (thirty-one in all) who, at first, openly declared themselves, Buckley, eighty years of age, and formerly a monk of Westminster, had, at that moment, been

body, to exhibit their complaints to the pope; and, accordingly, Mr. Bishop and Mr. Charnock were sent, with a paper of exceptions against this new establishment of an archpriest. The chief heads of their complaints were, that this kind of government for a whole nation seemed new and surprising; that it did not answer the ends of the mission, especially as to the sacrament of confirmation; that the divine institution required a hierarchy in every national church; that these measures were taken by misinformation, and surreptitious means; that the chief persons among the clergy had neither been advised with, nor consenting, as the court of Rome had been made to believe;[1] that the whole derogated from the dignity of the clergy; that, in fine, it was a contrivance of father Robert Persons and the jesuits, who had the liberty to nominate both the archpriest and his assistants; that the cardinal-protector's letter, without an express bull from his holiness, was not sufficient to make so remarkable an alteration in the government of the church; that the archpriest being ordered to advise with the jesuits in all matters relating to the clergy, was an unbecoming

May.

a confessor in chains, for thirty years; Bluet had suffered in the same manner for twenty-two years, Bagshawe for fourteen, Calverley for thirteen, and Meredith, Taylor, and Thules, for twelve each. Others, such as Bishop, had been imprisoned for lesser periods; and Colleton had exposed his life upon the mission for twenty-four years (Stonyhurst MSS. Ang. A. ii. 47). Yet Garnet, in a letter enclosing the names of seventeen priests in Wisbeach, who approved of the new institution, gravely affirms that the oppositon to it was nothing more than the schismatical hostility "of a few turbulent youths,"—*juvenum quorundam inquietorum* (Plowden, 332). According even to Persons, out of four hundred clergymen then in England, the whole number, exclusive of Blackwell and the assistants, who subscribed in favour of the appointment, was only fifty-seven (Brief Apol. 106). Garnet confirms this; but tells us that twenty-four others had commissioned any one of the subscribing priests to insert their names. Plowden, 336.—*T.*]

[1] [This is virtually acknowledged even by Persons, who says, "as for their wills and knowledge, they being so small a part as they were of the whole body, it was not necessary in particular for his holiness or protector to require the same" (Brief Apol. 107[b]). In another place, he tells us that the pope "willed information to be procured out of England of the fittest men for government; as it was done, ... *though these unquiet, perhaps* (he forgets that they were not "unquiet" *then*) *were not demanded in particular.*" He adds that the persons, really consulted, were himself and father Baldwin, with Haddock, Martin Array, Standish, and some other secular priests at Rome, whose opinions were supported by letters, not only from England, but also *from Spain and Flanders.* Ibid. 99[a].—*T.*]

restraint upon their body, and without a precedent. For these, and such-like reasons, they begged leave to demur in their obedience to the archpriest, till his authority was more legally established.[1] Before the two agents arrived at Rome, care was taken by the other party to send injurious characters before them; which, in short, were, that they were the heads and ringleaders of a number of factious priests, who had arrogated to themselves the name of the English clergy.[2] Upon their arrival in the city, they were both seized by the cardinal's orders, and committed to custody, under the inspection of father Persons. Having with great difficulty obtained their liberty, or rather escaped by flight, they left Rome, *re infectâ*, and, returning into

[1] [These were the grounds of their opposition to the government established by the protector's letter; and these, of course, the deputies were directed to lay before the pontiff. But they were also the bearers of a letter to More, the English agent at Rome, containing their instructions, and explaining the object of their mission. They were to petition for the appointment of ordinary bishops with suffragans, for the restoration of the English college at Rome to the secular clergy, for a prohibition against the introduction of any political works, not specially licensed, into this country, and for permission to frame regulations for their own internal goverment. In the third of these requests, they evidently pointed at Persons's Conference on the Succession: in the last, they alluded to the congregation mentioned in a preceding note. The letter is printed at the end of the "Declaratio Motuum:" there is a MS. copy of it, endorsed by Persons, at Stonyhurst, MSS. Ang. A. ii. 36.—*T.*]

[2] [One of the papers on this subject was signed, and despatched to the protector, by Barret, the president of Douay, and the three doctors, Webbe, Harrison, and Kellison. It was written in the most offensive style of the time, and expressed a hope "that some example of severe correction would be used upon the deputies, to the end that others of the same faction and boldness should be held in their duty" (Brief Apol. 125). Of the effect, produced by these defamatory reports on the mind of the pontiff, we may judge from the fact, that Bellarmine, in a letter to Persons, informed him that the pope had already determined, if the agents came to Ferrara, where he then was, to commit them to prison. Persons afterwards appealed to this letter, in proof that he was not concerned in the violence offered to Bishop and Charnock: but he omitted to add, what there is good reason to believe, that he was in correspondence with Bellarmine on the subject of the deputies; that the letter in question, instead of emanating, as he pretended, from an order of the pope, was, in fact, an answer to one written by himself; and that its object was, to inform him, in reply to his own inquiries, that the deputies had not yet arrived, that, even in the event of their arrival, no judicial proceedings should be adopted until the pope returned to Rome, and that, consequently, it would be unnecessary for him to come to Ferrara, to prosecute the business (Compare Persons's Brief Apol. 120^{b}, with Colleton's Just Defence, 76). Bellarmine's letter was dated on the 17th of October, 1598: on the tenth of the following month, the protector addressed Blackwell, condemning the proceedings of the appellants, and requiring him to return an information as to their character and conduct. See Appendix, No. XXIV.—*T.*]

England, entertained their brethren with the dismal account of their embassy. Frequent consultations were had about the matter; the conclusion whereof was, not to submit to the archpriest, till his authority was confirmed and become more authentic. This behaviour so exasperated the jesuits, and others, that favoured their project, that open war was declared on both sides. The noncomplying clergy were distinguished by the name of appellants; and great pains was taken to render them odious both at Rome and in England. Father Persons published a large apology in defence of the archpriest's authority: father Lister, one of the same society, wrote a small "Treatise of Schism," wherein he endeavours to prove, the appellants were schismatics. Neither was the other party backward in their own defence: an infinite number of pamphlets came forth to that purpose: and, among other attempts, the appellants drew up their case, and proposed it to the doctors of Sorbonne, who declared so far in their favour, as to pronounce them free from the sin of disobedience, or schism, till the pope had confirmed the archpriest's power in a more canonical way. This so provoked the archpriest, that he published a virulent pamphlet against the Sorbonne decree; and, to shew that he was in earnest, he not only threatened some of the appellants with suspension, but actually deprived them of their faculties. At length, the pope, taking particular cognizance of the matter, thought it proper to confirm the archpriest's power by a special bull. This, in a great measure, gave content to the appellants. However, they still shewed a great uneasiness, and continued their appeal to his holiness concerning certain clauses in the instrument of the archpriest's power; especially that, which advised him to consult the jesuits in the affairs of the clergy. The pope was pleased to hearken to this part of their complaint, and, by a second order, not only prohibited such kind of intermeddling for the future, but, to render the union among the clergy more lasting, the archpriest was admonished to make choice of some of the appellants for his assist-

ants. By this means, an end was put to this contentious affair; and all the clergy were unanimous in their obedience to the archpriest, as long as that economy lasted; which was during the prelacy of three archpriests, Mr. Blackwell, Mr. Birket, and Mr. Harrison.[1]

[1] [There is much confusion, and some inaccuracy, in this part of the narrative. 1st. Bishop and Charnock left England about the end of May, 1598. Their departure somewhat unreasonably excited the anger of Blackwell: their conduct he denounced as rebellious, their party as the abettors of schism: and Colleton, Mush, and the other leading men among the appellants, he constantly branded with the most opprobrious epithets. It was in vain that Mush had already promised to acquiesce in his authority; it was in vain that Colleton now addressed him, complaining of his injurious language, and requesting to be informed of the precise nature of his accusations (see Appendix, No. XXV.). They were answered only by suspension from the archpriest (Brief Apol. 147; Just Defence, 190, 191), and by angry invectives from the press; while Lister, in the "Treatise of Schism" mentioned in the text, boldly proclaimed them to have "fallen from the church and spouse of Christ," to have become irregular and excommunicate, a scandal to the good, and infamous to all (Colleton, 193). Persons's "Apology" was written at a later period. To give it authority, and, of course, to injure the cause of the appellants, he pretended, in the title-page, that it was written "by priests united in due subordination to the archpriest.

2d. While the excitement produced by these proceedings was at its height, the deputies (Dec. 11) arrived in Rome. If we may believe the account drawn up under the eye of Dr. Bishop himself, they were, at first, received by Persons in the college, but afterwards expelled, to seek a lodging in the town. Here, in the middle of the night, on the twenty-eighth of December, they were suddenly arrested by a company of the pope's guards, and, having been conveyed under escort to the English college, were committed to the custody of Persons, and placed in separate apartments. For nearly four months, they continued under this restraint. Their papers were seized; they were debarred from all communication with each other; they were secluded from the counsel and intelligence of their friends; and they were subjected to a series of insulting and harrassing examinations, conducted by Persons, and registered by Father Tichbourne, another member of the society. On the seventeenth of February, 1599, the two cardinals, Cajetan and Borghese, arrived at the college: but the prisoners, instead of being allowed to discharge their commission, were, in reality, placed on their defence; and a process, bearing all the characteristics of a trial, immediately commenced. The previous depositions were read: new charges of ambition, and of a design to procure mitres for themselves, were urged against the deputies: the procurators of the archpriest were heard in aggravation; and the accused, having been permitted to reply, were remanded to their confinement, there to wait the decision of the court (Compare the Declaratio Motuum, 41—44, and Colleton, 36, with Persons's own account, in the Brief Apology, 121, 128—139). That decision was pronounced on the twenty-first of April. It released Bishop and his companion from their restraint: but it ordered them to leave Rome within ten days; it forbad them to return either to England, Scotland, or Ireland, without the express permission of the pope or of the protector; and it awarded the penalty of suspension, to be incurred on the commission of the act, if they presumed to disregard this prohibition (Brief Apol. 139, 140. See Appendix, No. XXVI.). Against this sentence Charnock afterwards appealed, and, under cover of the appeal, returned to England (Stonyh. MSS. Ang. A. ii. 59). Blackwell threatened to suspend him: but the cardinal du Perron, the French ambassador at Rome, is said to have interfered with the pontiff, in

behalf both of him and of Bishop; and the two deputies soon after resumed their sacerdotal functions in England (Racine, Hist. Eccles. xiii. 608; Mem. du Card. du Perron, 403).

It is evident that these proceedings were adopted, principally, if not entirely, as a matter of precaution. A great political object was in view. Had Bishop and his companion been permitted to approach the pontiff, or to converse freely with his officers, a new impression might have been created as to the wants and wishes of the English catholics; and, in that case, the institution of the archpriest, which, in the minds of its projectors, was to determine the future destinies of the throne, might have been overturned. By first sequestering, and afterwards dismissing, the deputies, this danger was avoided. The pontiff heard nothing but what might be prudent to lay before him: his impressions were left undisturbed; and he willingly subscribed the breve, by which Blackwell's authority was confirmed.

3d. That breve was signed, on the sixth of April, 1599, fifteen days before the release of the deputies. It distinctly recognized the act of the protector, in the institution of the archpriest; declared the letter to have been written with the knowledge, and by the command, of the pontiff; pronounced it to have been valid from the first, and ordered its provisions to be strictly compli d with (See Appendix, No. XXVII.). To the honour of the appellants, they instantly and cheerfully bowed to the decision. Colleton, Mush, and Hebourn, the very men whom Blackwell had already suspended (Brief Apol. 147, 149), hastened to Wisbeach, to announce the arrival of the breve, and unite the prisoners in its support. Their mission was successful. Persons, in a letter to Mush, thanked them for "the great good effects which they had wrought" (Brief Apol. 145 b): while Blackwell, under the impulse of his joy, at once restored them to the exercise of their clerical functions, "blessed God that, upon the sight of the breve, they had submitted themselves," and candidly acknowledged that, by their zealous exertions, they had "procured the submission of the rest to his subordination" (ibid. 147 b. See also Appendix, No. XXVIII.). But unfortunately, these purer sentiments were not unalloyed, in the mind of the archpriest, with feelings of a baser nature. In one of his very first interviews with Colleton and Mush, he produced a letter for their signatures, which described their late proceeding by the epithet of "schism" (ibid. 146). To this charge he afterwards returned. Their present submission, he maintained, could not atone for past delinquency. Their separation had been schismatical: they were still guilty of schism; and until they should have offered satisfaction for their crime, he must defend the Treatise of Lister, and continue to treat them as schismatics (Just Defence, 195). At length Colleton, to terminate the dispute, laid the case before the divines of the university of Paris. As Dodd has observed, the decision of the faculty was in favour of the appellants: it was condemned, however, by Blackwell, in an angry decree published on the twenty-ninth of May (see Appendix, No. XXIX.): this was followed, in October, by a sentence of suspension against Colleton and Mush; and on the seventeenth of the following month, thirty-three clergymen, by a regular instrument, solemnly appealed to the judgment of the apostolic see (See Appendix, No. XXX.).

It was not to be expected that this contest would escape the notice of the government. Elizabeth had watched its progress; she was aware of its political origin; and while, on the one hand, perhaps, she sought to weaken the body by division, on the other she not unnaturally inclined towards that party, whose loyalty was less open to suspicion. By degrees, the appellants were relieved from many of the restraints, imposed by the law upon the catholic clergy. In some instances, they were removed from the confinement of a jail, to become prisoners at large: they were permitted to correspond with each other; and were provided with facilities for the publication of tracts, intended to vindicate their proceedings against the attacks of their adversaries. The intercourse, thus established, was afterwards improved. Of the clergymen who had lately

referred their cause to the decision of the pontiff, all, at the moment of the appeal, were confined in the castle of Wisbeach. Hence, they had been compelled to dispense with the formality of a deputation, to commit their complaints to paper, and to transmit them, by the ordinary conveyance, through the archpriest, to Rome. It was now thought that something more might be effected. About the end of June, 1601, Bluet was secretly introduced to some of the members of the privy-council, and, by their means, was admitted to the presence of the queen. Of the conference which ensued we are acquainted only with the result. It was determined that Bagshawe, Champney, Barnaby, and Bluet himself, who were all under restraint, should be forthwith discharged, that they should be permitted to visit their friends, for the purpose of collecting money, and that, as soon as their preparations were complete, they should receive passports, which, under the pretence of banishing them, would enable them to leave the country, and proceed to prosecute their appeal in Rome (See Appendix, No. XXXI. The passports are mentioned by Winwood, i. 373). By the middle of September, they were ready to commence their journey (Appendix, No. XXXII.); but, almost at the moment of their departure, a breve, issued on the seventeenth of the preceding month, in answer to their appeal, arrived. It once more confirmed the appointment, but condemned the irritating conduct, of Blackwell: it suppressed Lister's treatise, and all other publications connected with the controversy; and, while it refused, on grounds of prudence, to admit the appeal, it seriously admonished the archpriest on the intemperance of his proceedings, and affectionately exhorted all parties to live henceforth in a constant interchange of every brotherly office (See Appendix, No. XXXIII.). What influence this instrument might have had on the purpose of the appellants it is impossible to say. For some extraordinary reason, Blackwell chose to suppress it, until the end of the following January (Pref. to Ely's Brief Notes, 4; Pref. to Just Defence, 1); and, by that time, we find the deputies, Bagshawe, Cecil, Mush, Champney, and Bluet, already on their road. In their way, they rested in Paris; obtained letters of protection from the French king; and, leaving Bagshawe to watch the interests of their party, resumed their journey, and arrived in Rome on the sixteenth of February. Here they found the procurators of the archpriest, and soon discovered that the efforts of their adversaries were employed in circulating reports, alike injurious to their character, and detrimental to the cause in which they were engaged. By the pope, however, they were received with kindness, and heard with attention: they were opposed by a series of defamatory memorials, ostensibly from the agents of the archpriest, but really from the pen of Persons; and, for nearly eight months, the period of their negotiation, they were constantly assailed with accusations of the most serious and offensive description. At length, however, the business was brought to a termination. The deputies had first solicited the appointment of bishops: afterwards they had petitioned for the institution of six archpriests, with other officers, to be annually or biennially elected by the suffrages of the clergy. In both these points they had been foiled by the superior address of Persons. But in their complaints against the administration of Blackwell, and in their efforts to vindicate themselves before the pontiff, they were more successful. On the fifth of October, another breve was issued, condemning the conduct of the archpriest, and justifying the appellants from the charges of schism and rebellion, which had been urged against them. It declared that the former, by his censures and decrees, had exceeded his powers, that the latter, by their resistance to his authority, had never forfeited their spiritual faculties. It limited his jurisdiction to the priests educated in the foreign seminaries; forbad him, in future, and for the sake of peace, to communicate either with the superior of the jesuits in England, or with the general of the society in Rome, on the concerns of his office; commanded him to supply the first three vacancies that should occur, in the number of his assistants, with persons selected from amongst the appellant priests; and, having ordered him to

receive and transmit all appeals to the cardinal protector, concluded by condemning the past, and prohibiting all future, publications, in any manner connected with the present controversy (See Appendix, No. XXXIV.).

Thus terminated this unhappy contest, leaving behind it, however, a rankling feeling of jealousy and dislike, which cannot be too deeply or too lastingly deplored. Yet, in closing this imperfect sketch, let me not forget to remind the reader of the real nature of the dispute; let me point once more to its political origin; and, above all, let me remark, that, however reprehensible may have been the conduct of any of the parties immediately engaged in it, that conduct, of itself, will neither detract from their real merit upon other occasions, nor diminish our legitimate respect for the bodies to which they belonged. To the services of Persons, to his comprehensive mind and indefatigable energy in the foundation and management of many of the foreign seminaries, the world will continue to bear testimony, in spite of all his failings. Yet his existence was not necessary to the greatness of his order. Its glory needs him not: and, without detracting either from his merits or his powers, the disciples of Ignatius may still assure themselves that their body "hath many a worthier son than he."

4th. There is another subject, which, from its own importance, as well as from its connexion with some of the preceding transactions, deserves to be noticed in this place. I have mentioned the intercourse between the government and the appellants, and the assistance afforded by the former to the latter, in the prosecution of their appeal to Rome. This soon attracted the observation of the puritans: the ministers were openly charged with abetting popery; and Elizabeth, to remove the scandal (Nov. 5, 1602), published another proclamation for the banishment of the catholic missionaries. In this document, she speaks of the dissentions, which had lately prevailed, concerning the archpriest. The appellants she describes as "disobedient subjects, masking themselves under the vizard of pretended conscience, whereby to steal away the hearts of the simple:" the jesuits, and those who, by "yielding obedience to a new kind of subordination, had subjected themselves to be wholly directed by the jesuits," she describes as traitors, "devoted to the king of Spain," and combined for the purpose of subverting her throne. The latter she commands absolutely, and without exception, to leave the realm within thirty days: the former she orders generally to abjure the country within the period of three months; but if, before the expiration of that interval, they shall present themselves "before a lord of the council, or the president of Wales, or the bishop of the diocese, and shall there acknowledge sincerely their allegiance and duty to her," then, instead of enforcing the sentence of banishment, she will be ready to "take such further order as shall be deemed most meet and convenient" (See Appendix, No. XXXV.). Of this last exception thirteen of the appellants hastened to avail themselves. In an admirable address, drawn up by Dr. William Bishop (Jan. 31, 1603), they thanked the queen for her merciful consideration, and signified their readiness to give her the satisfaction which she required. They acknowledged her for their queen, holding her power from the word of God, and possessing a claim to their allegiance, which "no authority, cause, or pretence," could set aside: they declared their abhorrence of the many forcible attempts already made, to restore the catholic religion, and their determination not only to stand by their sovereign against her future opponents, but also to reveal to her whatever conspiracies or treasons might come to their knowledge; they protested that, if, for the discharge of this sacred duty, the pope should ever venture to excommunicate them, they should feel themselves bound, in the sight of God, to disregard the sentence; and they concluded by expressing a hope, that, whilst they thus rendered to Cæsar the things that were Cæsar's, they should not be condemned, if they declared their resolution to fulfil the other portion of the precept, to yield to the successor of Peter that obedience which Peter himself might have claimed under the commission of Christ, and so to distinguish between their several duties and obligations, as to be ready, on the one hand, "to

spend their blood in the defence of her majesty," but, on the other, "rather to lose their lives than infringe the lawful authority of Christ's catholic church" (See Appendix, No. XXXVI.). On the very day on which this instrument was signed, Elizabeth was seized with that illness, which, in less than three months, terminated her existence. Of the effect, therefore, which the address might have produced, we have no knowledge: but it is a fact not altogether unworthy of remark, that, whilst the protestation was condemned by the divines of Louvain, as embodying a theological falsehood, and whilst Champney was removed from his office of confessor to the nuns of Brussels, for having signed it, the pope himself, whose temporal authority it denied, and whose political interference it threatened to resist, selected Bishop, its author, as the very man, in whose person he would revive the episcopal authority of this country. As Mr. Butler has well remarked, this is one of those "numerous instances, which shew that the court of Rome is more wise and moderate, than her officious partisans often show themselves." Mem. ii. 65.—*T.*]

ARTICLE VI.

CHARACTER OF ELIZABETH.—HER PERSONAL APPEARANCE—HER ABILITIES—HER VIOLENT TEMPER—HER DISSIMULATION—HER MOTIVES IN ESTABLISHING THE REFORMATION—HER PLUNDERING OF THE CHURCH—HER RELIGIOUS OPINIONS—HER SUITORS—HER ENCOURAGEMENT OF FOREIGN REBELS—HER PERSECUTION OF THE CATHOLICS—HER CONCLUDING YEARS—AND DEATH.

THE different light, wherein human actions are considered, being the occasion of different characters, a hero is often stripped of all his ornaments, while some relate with horror those passages of his life, which others make a continual subject of panegyric. Queen Elizabeth may be an instance of this kind of treatment. The great achievement of her reign was establishing the reformation; and here her party place her greatest merit. But others, who have considered the nature and circumstances of the undertaking, are so far from saying anything to her advantage upon that occasion, that they tell us her memory is infamous upon that account, and so will remain to all posterity. It is not the part of an historian to enter into the merits of the cause. Her character is to be taken from her personal behaviour; from the methods she made use of, and their consistence with honour and conscience; and from other qualities, which make persons valuable in the eyes of God and men. I will not be so ungenerous, as to insist upon anything to the prejudice of her reputation, wherein she was not personally concurring; which some have done, by reminding their readers, that both her father and mother were not only of evil fame, but monstrously wicked, to the scandal of the whole universe. Such reflexions ought not to be made in her disfavour, because she had no part in them. For the same reason she ought not to be aspersed upon account of her birth. For, though the see of Rome had declared her to be illegitimate, and king Henry VIII. him-

self afterwards caused his marriage with her mother to be pronounced void, yet, by a subsequent law, she was legitimated so far, as to be made capable of inheriting the crown. The like benevolence may be expected in regard of her education. If she received any evil impressions by that means, either as to her temper, religion, or politics, it was rather her misfortune than her fault. Her minority happening in the days of libertinism, when debauchery, sacrilege, and tyranny were practised by her father and his flattering courtiers with impunity, it was a miraculous preservation, if she imbibed none of those ideas and principles, which children commonly inherit by nature and bad example.

As for her person, the description we have of her is, that she was tall, and above the common size; had a fair complexion, and was rather red-haired. Her nose was high, her limbs well-proportioned, her countenance open, serene, and engaging, but somewhat forbidding when displeased. In the whole, she was a comely person, but far from being a beauty; though nothing pleased her more, than to be flattered in that way, and upon this occasion she was as jealous of a competitor, as she was of her imperial diadem. This, as some have conjectured from her behaviour and speeches, was not the least occasion of her aversion to Mary, queen of Scots, whose unrivaled beauty and excellences she could never hear mentioned, without shewing manifest tokens of displeasure.

It is generally allowed, that her natural parts were far above the common, and, being cultivated by a suitable education, made her an honour to her sex, which she redeemed from the vulgar aspersion of not being capable of great matters, and managing state affairs. But whether she improved her parts to that surprising degree, as Mr. Burnet reports, is justly suspected by those, that are more impartial in her character. And, particularly, Mr. Collier has made it appear, that she could not be the author of those letters and witty remarks (when she was only six years of age), which some have confidently attributed to her. However, when

she arrived at a proper age, and was seated upon the throne, she quickly gave proofs of the vastness of her capacity in the arts of government; and, by making choice of an able ministry, shewed no less judgment and sagacity, than if she herself had been the immediate instrument of her own politics. One thing is remarkable during her whole reign, that she frequently strained her prerogative too far, and that her parliaments were pleased to connive at it. In the beginning, before the reformation was thoroughly settled, such kind of disputes might have retarded, and perhaps ruined, the undertaking. And, afterwards, they permitted her to go on in her own way, being sensible, she inherited so much of her father's temper, as not to bear any contradiction. For, as it is observed by some of our historians, she would, upon certain occasions of opposition, be so far transported with passion, as to break forth into oaths and execrations unbecoming her sex and dignity; "*God's death*" being an oath very familiar with her, when any thing happened to ruffle her temper. However, in the midst of her greatest transports, she could quickly recollect herself, and allay the storm by the serviceable method of dissimulation; in which kind of art she was an adept, being well instructed in that useful lesson, *Qui nescit dissimulare, nescit regnare.* We have several remarkable instances of her skill in this way. In the beginning of her reign, it was necessary to trim between the two contending parties, upon the subject of religion. She entertained a mixed privy-council for show; but, at the same time, was privately sapping the catholic cause, by a select cabinet council of such as favoured the reformation. To cloak her designs, she amused Spain, France, &c., with pretended treaties of marriage; whereby the common cause of religion was neglected upon the prospect of so beneficial an alliance. But nothing came up to that dissimulation, she practised in her treatment of Mary, queen of Scots. This unfortunate princess was detained a prisoner eighteen years, between flattering promises of liberty, and private stratagems of destruc-

tion. At last, it was determined she should die, for the greater security of the reformation; and queen Elizabeth, having signed the warrant for execution, used all her art to wipe off the aspersion of the fact, and cast all the infamy upon her secretary, who, by way of a blind, underwent a sham trial for mistaking her orders. But he lived to a favourable time, to do himself justice in an apology, he published to the world upon that occasion; part whereof is contained in these words, as they are recorded by Mr. Camden:—"The queen, after the departure of the French and Scottish ambassadors, of her own motion, commanded me to deliver her the warrant for executing the queen of Scots. When I had delivered it, she signed it readily with her own hand. When she had so done, she commanded it to be sealed with the great seal of England, and, in jesting manner, said, 'Go, tell all this to Walsingham, who is now sick; although I fear he will die for sorrow, when he hears it.' * * * * Moreover, she blamed Paulet and Drury, that they had not eased her of this care; and wished that Walsingham would feel their pulses in this matter. The next day after it was under the great seal, she commanded me by Killegrew that it should not be done; and when I informed her that it was done already, she found fault with such great haste. * * * * The third day after, when, by a dream, which she told me, of the queen of Scots' death, I perceived that she wavered in her resolution, I asked her, whether she had changed her mind? She answered, 'No: but another course,' said she, 'might have been devised;' and withal she asked me, whether I had received any answer from Paulet? whose letter when I had shewed her, wherein he flatly refused to undertake that, which stood not with honour and justice, she, waxing angry, accused him and others, who had bound themselves by the *association*, of perjury and breach of their vow. * * * * And afterwards, she gave me a light check, the same day that the queen of Scots was executed, because she was not yet put to death."[1] Now, it is hard to say which is

[1] Camden, in Kennet, ii. 538.

more astonishing, that an absolute princess should be taken off by a pretended court of judicature in a foreign land, or that the person, who signed the warrant, should pretend to wash her hands of the guilt; which, notwithstanding, queen Elizabeth endeavoured to do by many crafty and hypocritical methods; and had the assurance to condole with the king of Scotland for the unhappy fate of his mother; shedding abundance of crocodile's tears over the prey she had devoured.[1]

In the next place, we are to take a view of her disposition and conduct, in regard of religion: for it is not to be imagined, that a person, raised, as some pretend, by providence, to complete the establishment of the church, would do anything towards the subverting of its rights, and scandalize the world by improper behaviour. But here she is attacked by some of her own party, who were not able to make an apology for her. "Had the interest of her subjects lain wholly in this world, few princes would have left their memory better recommended: but, as to the service of religion, I am sorry I cannot say her conduct was altogether so happy. She restored the reformation, it is true; but, in many places, left little provision to maintain it. * * * * If this queen's usage of the clergy was compared with what they met with, in the reign of Henry VIII., it is to be feared it might be said, *her little finger was thicker than her father's loins;* and that *he disciplined them with whips, but she chastised them with scorpions.*"[2] She had the same dispositions for plundering the church, as her father and brother. But the harvest was over, and little left for her, besides the gleaning of the field. She completed the reformation by the same methods it was first begun among the common people, when "the preachers had inflamed their ignorance, pushed them to sacrilege and fury, and blown them up to this pitch of distraction. These pulpit incendiaries cried out, that the places, where idols had been wor-

[1] See her letter to James, in Ellis, first series, iii. 22.
[2] Collier, ii. 669, 670.

shipped, ought to be destroyed by the law of God, and that the sparing them was reserving the accursed thing. And thus, every building with a steeple was a mark of the beast, a seat of idolatry described by Moses, and a house of devotion for the Amorrhites. By the help of this divinity, the churches were all razed or battered, the beauty of the great towns scandalously blemished, and the public ornaments of the kingdom laid in rubbish. The communion plate was made prize, and the bells, timber, and lead, set to sale in the market. Registers and libraries were destroyed, and the remains of learning and antiquity thrown into the fire. The grave was no protection against these zealots. They rifled monuments and tombs; did what they could to extinguish the name of those in the other world, and murder them in their memory. * * * To see noble structures, consecrated to the honour of the ever-blessed Trinity, where all the articles of the apostles' creed were professed, the christian sacraments administered, and all the inspired writings received as such; places where there was no polytheism, no addressing devils, no roasting of children, no licentious worship so much as pretended; in short, where there was no resemblance of a parallel with the heathen idolatry, mentioned in the Old and New Testament,—I say, to see the houses of God thus ravaged, and razed, the holy furniture made plunder, and the church estates seized, gives a frightful idea of some of these reformers: and to consider the fact, without knowing the whole history, would almost make a man believe, some rough, unconverted nation had made an invasion, and carried the country." [1]

Now, that queen Elizabeth was wholly bent upon plundering the church, for the benefit of the state, after her father's example, does plainly appear by that bold remonstrance of archbishop Whitgift: "I beseech you," says he, "also to consider, that Constantine, the first christian emperor, and Helena, his mother; that king Edgar, and Edward the Confessor, and, indeed, many

[1] Collier, ii. 471.

others of your predecessors, and many private christians, have also given to God, and to his church, much land, and many immunities, which they might have given to those of their families, and did not; but gave them for ever, as an absolute right and sacrifice, to God. And, with these immunities and lands, they have entailed a curse upon the alienators of them. God prevent your majesty, and your successors, from being liable to that curse, which will cleave unto church lands, as the leprosy to the Jews. * * * * And though I pretend not to prophecy, yet I beg posterity to take notice of what is already become visible in many families, that church land, added to an ancient and just inheritance, hath proved like a moth fretting a garment, and secretly consumed both; or like an eagle, that stole a coal from the altar, and thereby set her nest on fire, which consumed both her young eagles, and herself, that stole it. And though I shall forbear to speak reproachfully of your father, yet I beg you to take notice, that a part of the church's rights, added to the vast treasure left him by his father, hath been conceived to bring an unavoidable consumption upon both, notwithstanding all his diligence to preserve them. And consider, that, after the violation of those laws, to which he had sworn in Magna Charta, God did so far deny him his restraining grace, that, as king Saul, after he was forsaken of God, fell from one sin to another, so he, till at last he fell into greater sins than I am willing to mention."[1]

As to queen Elizabeth's private thoughts concerning the different articles of religion, she went along with every change, that happened; and either believed what others professed, or concealed herself under a serviceable hypocrisy. The six articles of her faith, the medley liturgy of her brother, mass and confession under her sister queen Mary,—all sat easy upon her. This was her behaviour, till she was twenty-six years of age, and ascended the throne. Then, indeed, after some months'

[1] Apud Collier, ii. 685.

hesitation, she appeared visibly for the reformation. But whether interest or religion had the ascendant in her choice, may be guessed at by circumstances. She was made to believe, that her claim to the crown would be disputed, if she continued to adhere to the old religion. The nobility and gentry, who had raised and augmented their fortunes by the addition of church lands, were apprehensive of being disturbed in the possession: the forbidding aspect of ancient church discipline, with several other human considerations, turned the scales on the reformers' side. The perplexity of mind, she laboured under upon these accounts, she frankly imparted to the French ambassador, then residing in London; adding, that those about her teazed her continually to carry on the reformation. Yet, she never was so hearty in the cause, as to yield to all the opinions and practices that were set up by the party: particularly, concerning images, the real presence, the clergy's marriage, &c., her thoughts, as the reader has seen, seemed to be different. Indeed, as to fasting, and abstinence from flesh at certain times, she was pleased to reinforce the ancient practice. But then, it was in a strain altogether human and unevangelical, as it appears by an order of council, issued out, and directed to the archbishops and clergy on that subject; part whereof runs thus: "And further declare unto them, that the same is not required for any liking of popish ceremonies heretofore used, which utterly are detested; but only to maintain the mariners, and the navy of this land, by setting men a-fishing." "Now," says Mr. Collier, "with submission, to lay the whole stress of embering and abstinence upon reasons of state, is somewhat singular. For, to say nothing of Ember weeks, the fasts of Lent, and those of Wednesdays and Fridays, reach up to the earliest ages of christianity. Now, this restraint of appetite was always imposed with a prospect upon the other world. It was enjoined to reduce the senses, and make the mind more absolute. And is it not somewhat a misfortune, that the apostles' canons, the authority of the fathers, and the practice of the

primitive church, should be struck out of all consideration? And must all this discipline be *only* for the benefit of navigation? Have we not sins to fast for, and temperance to guard? Are we not bound to distinguish times upon spiritual motives, and prepare for the solemnities of religion? But, when secular men prescribe to the church, when those, who are strangers to antiquity, give laws for discipline, it is no wonder if they mistake in their direction."[1] From these remarks of Mr. Collier catholics will be apt to infer, that, as the substance of the reformation was carried on, upon human considerations, viz., to secure the queen's title and possession of church lands, so the same spirit is discoverable in every branch of it. For why do they fast, and abstain from flesh? To promote fishing, and increase the number of mariners for sea-service. Why do they make use of sacraments? Not as the channels of grace, but only outward tokens of their inclinations. Why do they frequent the church, pray, and give alms? Not that these performances are capable of effecting any thing towards appeasing God's wrath, or procuring his favour, but merely for the sake of outward discipline and church economy. Why do they admit persons to exercise the ministerial function? Not that they look upon them qualified by any divine power or character, but only by deputation from the civil power, to which they are subject in every branch of their office. By this means, the church is not only reformed, but lost and melted away in the state; to whose politic ends both preaching, praying, fasting, alms, and the use of the very sacraments are become subservient upon every occasion.

I must not omit to speak of queen Elizabeth's humour and management in regard of marriage; which has puzzled posterity, how to account for it. Some are of opinion that she kept herself single, out of policy; others attribute it to a female incapacity; a third sort make it a piece of religion. To marry a foreigner involves a

[1] Collier, ii. 557, 558.

nation in many difficulties; especially, where a female sits upon the throne. To marry with a subject is the ground of emulation and envy; to say nothing of the incumbrances of that state of life, and the vast charge that attends a numerous royal offspring. These motives might, perhaps, weigh with her, not to engage herself. Female incapacity is too nice a point to be made a subject of strict enquiry. Then, as to religion, many circumstances of her life are neither favourable to her virginity, nor to any inclination she had for that state. Her entertaining so many suitors; her seeming amorous disposition in choosing favourites by their faces, and agreeableness of their persons; her passion and familiarity in their regard; the ambiguous wording of the act of parliament concerning a successor; these, if they did not make her virginity suspected, at least discovered her inclinations towards some of the pleasures of the marriage state. As to her suitors, with some she entered into a formal treaty; others were encouraged to make their addresses. She approved so well of king Philip of Spain's proposal, as to suffer him to send for a dispensation from Rome.[1] The marriage articles with the duke d'Anjou were drawn up and concluded upon, after some years' mature deliberation: she seemed to hearken to the proposals of Charles, duke of Austria, Ericus, prince of Swedeland, and Adolphus, duke of Holstein: nay, some of a more inferior rank, and even her own subjects, were not out of hopes of gaining her affections in a matrimonial way; particularly, the earl of Arran, the earl of Arundel, the earl of Leicester, and Sir William Pickering are mentioned upon that account.[2] Now, the correspondence, she kept with some of those pretenders, gave occasion to her enemies, at least, to proceed to censure her private behaviour; and the freedom, they took, was increased by an act of parliament, which passed concerning a successor to her crown. It was enacted, that no one should name any for the queen's successor, *except the natural issue of*

[1] [I have elsewhere shewn this to be incorrect, see vol. ii. 122, of this history.—*T.*]

[2] [See an account of them in Lingard, vii. 300—307.—*T.*]

her body: "but it is incredible what jests those, that lewdly catch at words, made upon that clause, *except the natural issue of her body*; since the lawyers term those children *natural*, which are gotten out of wedlock, whom nature alone, without the intervention of honest matrimony, hath begotten; and those they call *lawful*, according to the tenour of the common law of England, who are in lawful matrimony begotten of such a one's body. So that I myself," continues Camden, "being then a young man, have often heard people say, that this word was inserted in the act by Leicester, with a design, that, one time or other, he might impose some bastard son of his upon the English, for the queen's *natural* issue."[1]

After all, it is no easy matter to determine what was queen Elizabeth's motive for this kind of behaviour, in regard of her suitors. It must either have been the inconstancy of her temper, or a deep stroke of policy; for by this amusement she kept those great persons from practising against her, and gained time to settle the reformation. She had, during her whole reign, the advantage of an able ministry: an able ministry, I say, in point of politics; for, if regard is to be had either to religion, or to the common rights of mankind, never was there any nation more unfortunate than England. The character of every particular minister makes good the charge against them; besides the nature of the undertakings they were engaged in. Were the supreme powers accountable to those they are placed over, for the methods they take in promoting their respective interests, they would be puzzled, how to reconcile them to the principles of Christianity, and much more to put a gloss upon them, so as to make them a rule in private behaviour. In this respect, both queen Elizabeth and her ministry have deservedly drawn the severest censures upon themselves. I do not only speak of that bold undertaking of altering a religion, which had been established amongst us for many ages, even from the very

[1] Camden, in Kennet, ii. 436.

first planting of Christianity, and confirmed in every reign by the legislative power: I do not only speak of that illegal and uncanonical way of proceeding, where the laity took upon them to set up a new creed and form of worship, *reclamante toto clero*, and where the bishops and convocation were refused to exercise the power, committed to them by Christ, of governing the church in doctrinal and spiritual matters: I do not only speak of those scandalous motives, which induced the parties concerned to labour for a change: besides these general matters, there is an infinite number of lesser controversies and occurrences, which happened during this reign, so entirely destitute both of honour and humanity, that the ablest pens, they could employ, have attempted an apology in vain. When the rebels in France, Flanders, and Scotland, rose against their lawful sovereigns, men, money, and arms were sent to support them: but "the queen suffered in her reputation upon this score. The abetting of subjects against their sovereign was not every where understood."[1] When two nations are at war, more may be said for such a conduct; but here the case was otherwise. The queen was not only at peace with those princes, but made a show of suing for a farther alliance, all the while she was corrupting their subjects, and debauching them from their allegiance. This was a constant practice, for some years; which her neighbours thought fit to dissemble for a while, upon politic views: but at length they became impatient under such kind of treatment.

It would be an endless task to mention the several stratagems set on foot, to discredit and oppress those, that refused to subscribe to the form of the new religion. A whole volume of penal and sanguinary laws were quickly published against them; whereby their substance, liberty, and lives, became obnoxious to prosecution, whenever an evil-disposed person was pleased to attack them. To worship God, after the usual

[1] Collier, ii. 519.

manner, was forbidden both in public and private: the prisons were filled with delinquents, and great sums of money extorted from them. They had not the liberty of having their children educated in the universities or other schools, unless they would conform in religious practices; and, when they sent them abroad for that purpose, it was declared to be criminal, and that foreign schools were nurseries of rebellion. They were debarred not only from all places of trust, in regard of the public, but even from improving their parts and private fortunes, in law, physic, &c.; by which means their families were reduced to the lowest circumstances, and unprovided with the common means of subsisting. To these laws others were added, both inhuman and barbarous. It was made high-treason for any one to receive orders abroad, and exercise his spiritual functions within the queen's dominions; to be reconciled to the ancient faith, or even to be assisting in such a reconciliation: and great numbers suffered death upon these accounts.[1] Upon all occasions, great artifice was made use of, to draw unfortunate people under prosecution. The least rumour of an invasion was improved to their disadvantage. They were constantly represented as promoters and abettors of whatever was acted abroad, against the interest of England. Both the pulpit and the press were employed to poison the people with this belief. Every private villany, perpetrated by one of their pursuasion, was charged upon the whole body of catholics. Persons of desperate fortunes were tempted continually by state emissaries, to engage in some attempt or other, that would exasperate the queen; and sham associates were ordered to mingle themselves among them, that they might impeach the rest.

It must be owned, that these and such like stratagems rendered the queen's reign very prosperous: but whether, or no, to the purchasing of a good character, depends upon the merits of the cause, and the manner of her proceeding. Neither am I ignorant of the great encomiums our historians bestow upon her, on account

[1] The names of most of the sufferers will be found at the end of the following article.

of learning, trade, and military arts, that flourished under her government. It is true, her long reign afforded her an opportunity of making great improvements in all these respects: but, at the same time, she made a very inglorious exit, upon several accounts. She had the credit (if it may be called so) of being very instrumental in establishing the Dutch republic: but England gained little or nothing by the undertaking. The several unsuccessful attempts she made, to support the rebel huguenots in France, brought nothing home, but the plague. The civil wars she fomented in Scotland, and the murder of their queen, will render her memory infamous to all posterity. She had, indeed, many advantages over the Spaniards; but it was only a plundering war, whereby some private persons enriched themselves, and of no benefit to the nation in general. The Irish war exhausted yearly half the treasure of the kingdom; and the subduing of those people at last gave her very little content: for, whatever pleasure others might take in her glorious reign, she passed her latter years between a sullen melancholy and the transports of passion. She became tedious to herself, and troublesome to all about her. Several historians have conjectured at the origin of her disorder. The barbarous death of Mary, queen of Scots; the execution of her darling favourite, the Earl of Essex; her disappointed ambition, in not being able to obtain her ends over the Spaniards and Irish, are mentioned upon this occasion. But, however this may be, Heaven was just in making her inconsolable, who had been the author of so much grief to others. [The following is the account which one of her attendants, who was present, has left us of her death.[1]]

"Her majesty being in very good health, one day Sir John Stanhope, being the vice-chamberlain, and secre-

[1] [This paper is entitled in the original, "A True Relation of what succeeded in the sickness and death of queen Elizabeth," and is endorsed by father Persons with the following words:—"*The Relation of the Lady Southwell of late Q. death. p°. Aprilis*, 1607." It is in the Stonyhurst collection, MSS. Ang. A. iii. 77. The person called "Lady" Southwell, was one of Elizabeth's maids of honour.—*T.*]

tary Cecil's dependant and familiar, came and presented her majesty with a piece of gold of the bigness of an angel, full of characters, which, he said, an old woman in Wales bequeathed her on her deathbed; and thereupon he discoursed how the said old woman, by virtue of the same, lived to the age of one hundred and twenty years; and in that age, having all her body withered and consumed, and wanting nature to nourish, she died, commanding the said piece of gold to be carefully sent to her majesty; alleging further that, as long as the said old woman wore it upon her body, she could not die.

"The queen, upon the confidence she had hereof, took the said gold, and wore it about her neck. Now, though she fell not suddenly sick, yet daily decreased of her rest and feeding; and, within fifteen days, fell downright sick; and the cause being wondered at by my lady Scrope, with whom she was very private and confident, being her near kinswoman, her majesty told her (commanding her to conceal the same) that she saw, one night, in her bed, her body exceeding lean, and fearful in a light of fire. [This sight was at Whitehall, a little before she departed thence to Richmond, and may be testified by another lady, who was one of the nearest about her person, of whom the queen demanded whether she was not wont to see sights in the night, telling her of the bright flame she had seen. Afterward, in the melancholy of her sickness[1]], she desired to see a true looking-glass, which, in twenty years before, she had not seen, but only such a one which of purpose was made to deceive her sight: which glass being brought her, she fell presently exclaiming at all those which had so much commended her, and took it so offensively, that all those, which had before flattered her, durst not come in her sight.

"Now falling into extremity, she sat two days and three nights upon her stool, ready dressed, and could

[1] [The passage, here inserted between brackets, is not in the MS., which I have used; but is found in another copy seen by Persons. Discussion of Barlow's Answer, 218.—*T.*]

never be brought by any of her council, to go to bed, or eat, or drink: only, my lord admiral one time persuaded her to drink some broth. For any of the rest, she would not answer them to any question; but said softly to my lord admiral's earnest persuasions, that, if he knew what she had seen in her bed, he would not persuade her as he did. And secretary Cecil, overhearing her, asked if her majesty had seen any spirits; to which she said she scorned to answer him to so idle a question. Then he told her how, to content the people, her majesty must go to bed: to which she smiled, wonderfully contemning him, saying that the word *must* was not to be used to princes; and thereupon said, 'Little man, little man, if your father had lived, ye durst not have said so much: but thou knowest I must die, and that maketh thee so presumptuous.' And presently, commanding him and the rest to depart her chamber, [she] willed my lord admiral to stay; to whom she shook her head, and, with a pitiful voice said, 'My lord, I am tied with a chain of iron about my neck.' He alleging her wonted courage to her, she replied, 'I am tied, and the case is altered with me.'

"Then two ladies, waiting on her in her chamber, discovered, in the bottom of her chair, the queen of hearts, with a nail of iron knocked through the forehead of it; the which the ladies durst not pull out, remembering that the like thing was used to the old lady of Sussex, and proved afterwards for a witchcraft, for the which certain were hanged, as instruments of the same. The lady Elizabeth Guilford, then waiting on the queen, and leaving her asleep in her privy chamber, met her, as she thought, three or four chambers off, and, fearing she would have been displeased that she left her alone, came towards her, to excuse herself; and she vanished away; and when she returned into the same chamber where she had left her, found her asleep as before. So growing past recovery (having kept her bed fifteen days, besides three days she sat upon her stool, and one day, [when] being pulled up by force, [she] stood

on her feet fifteen hours) the council sent to her the bishop of Canterbury and other of the prelates, upon sight of whom, she was much offended, cholericly rating them, bidding them be packing, saying she was no atheist, but knew full well that they were hedge priests, and took it for an indignity that they should speak to her.

"Now being given over by all, and at the last gasp, keeping still her sense in every thing, and giving ever, when she spake, apt answers (though she spake very seldom, having then a sore throat) she desired to wash it, that she might answer more freely to what the council demanded; which was, to know whom she would have king:—but they, seeing her throat troubled her so much, desired her to hold up her finger, when they named whom liked her. Whereupon they named the king of France—the king of Scotland—at which she never stirred. They named my lord Beauchamp; whereto she said, 'I will have no rascal's son in my seat, but one worthy to be a king.' Hereupon, instantly she died. Then the council went forth, and reported she meant the king of Scots: whereupon they went to London to proclaim him, leaving her body with charge not to be opened, such being her desire: but Cecil having given a secret warrant to the surgeons, they opened her; which the rest of the council afterwards passed over, though they meant it not so. Now her body, being seared up, was brought to Whitehall, where being watched every night by six several ladies, myself, that night, there watching as one of them, being all about the body, which was fast nailed up in a board coffin with leaves of lead, covered with velvet, her body and head brake with such a crack, that [it] splitted the wood, lead, and sear-cloth: whereupon, the next day, she was fain to be new trimmed up: whereupon they gave their verdicts, that, if she had not been opened, the breach of her body would have been much worse: but no man durst speak it publicly, for displeasing secretary Cecil.

Mar. 24, 1603.

"Her majesty understood that secretary Cecil had

given forth to the people that she was mad: and therefore, in her sickness, did many times say to him, 'Cecil, know I am not mad: you must not think to make queen Jane of me.' And, although many reports, by Cecil's means, were spread, how she was distracted, myself nor any that were about her could ever perceive her speeches, so well applied, proceeded from a distracted mind."

*** ADDITIONAL ARTICLE.[1]

PERSECUTION.—GENERAL SKETCH OF THE SUFFERINGS OF THE CATHOLICS—IMPRISONMENTS—SPIES—SEARCHES—PENAL ENACTMENTS—POWER ATTRIBUTED BY THE LAW TO THE QUEEN—EARL OF HUNTINGDON LORD PRESIDENT OF THE NORTH—HIS ENMITY TO CATHOLICS—HIS RELIGION—TYRANNY OF HIS OFFICERS—THEIR CHARACTER AND EMPLOYMENTS—A GENERAL SEARCH—CRUELTIES OF THE PURSUIVANTS—PROTECTION OF SPIES AND INFORMERS—TOPCLIFFE DISAPPOINTED—LUKE HUTTON—HIS EXACTIONS AND PROCEEDINGS—OTHER PURSUIVANTS—POWERS OF THE LORD PRESIDENT—HE SUMMONS THE CATHOLICS TO APPEAR AT DURHAM—A SEARCH IN NORTHUMBERLAND—CATHOLIC GENTLEMEN IMPRISONED—PROTESTANTS BOUND TO PRODUCE THEIR CATHOLIC WIVES BEFORE THE COMMISSION—A SEARCH IN YORK CASTLE—PRISONERS REMOVED FROM YORK TO HULL—OTHER SEARCHES—CRUELTIES PRACTISED ON THE CATHOLIC CLERGY—SEARCH AT MR. TROLLOPE'S—THE PRESIDENT'S SOMNERS—CATHOLIC WIVES PRODUCED AND COMMITTED—THEIR TREATMENT IN PRISON—FRUITLESS ATTEMPTS TO OBTAIN THEIR RELEASE—CONDITIONS OF THEIR ENLARGEMENT—OATHS ADMINISTERED TO CATHOLICS—MODE OF EXAMINATION—APPREHENSION OF BOAST, INGRAM, AND SWALLOWELL—THEIR ARRAIGNMENT—AND EXECUTION—RISHTON'S ACCOUNT OF THE CRUELTIES PRACTISED IN THE TOWER—LISTS OF PERSONS EXECUTED OR IMPRISONED FOR RELIGION DURING THIS REIGN.

R. P. UNDERSTANDING by a friend that my former letters, being intercepted, were not delivered unto you, wherein divers things were contained concerning the estate and persecution of catholics in this north country, though, to my remembrance, nothing was written in them that might prejudice any person or place of our friends, where you or any other doth frequent, other than you shall perceive to be signified in these presents, I am forced to write now unto you, that you may, as near as I can call to mind, understand the contents of the former, with some particular intelligence of such accidents, as of late have happened in these parts. And first, to speak in general, such is our present estate, the which daily, by experience, we have cause more and

[1] [The paper, which forms the greater part of this article, is taken from a letter, or report, sent by father Richard Holtby to Garnet, his superior, in 1594. Holtby was in the habit of furnishing Garnet with these accounts; and Garnet, in turn, forwarded them, or their substance, to Rome, for the information of the general and the other authorities there. The present is the only one of Holtby's reports, with which I have met. Its importance, however, justly entitles it to a place in the present work: while the interesting nature of its details will offer a sufficient apology for its appearance as a separate article, rather than as a document in the appendix. The original is at Stonyhurst, MSS. Ang. A. ii. 12.—*T.*]

more to lament, that, unless God, of his great goodness and mercy, stay the rage of our persecutors, and dissipate the pernicious counsels, plots, and enterprises of our malignant adversaries, it is greatly to be feared that, in short time, the weak and small number of God's servants shall come to ruin, and the little sparkle of catholic religion, as yet reserved amongst us, shall be quite extinguished. And I beseech Almighty God, whose divine providence is in and over all, that our sins be not of more force in his presence, to exact a further scourge, than our patient affliction is of value, through his grace, to deserve a merciful remission of these our troubles, to his honour, and the reducing of many a straying sheep into his church's fold. For mine own part, I fear it greatly, when I behold in little storms what numbers are lost, yea, how many willingly cast themselves away, before they be greatly urged, and how few there be that abide so long, until they come unto a just trial of their constancy. Whereas a great part of those also that, in the beginning, and a good while, have submitted themselves, for the safety of their souls, patiently to suffer such extremities as it should please God to lay upon them, after many injuries offered, perils passed, disgrace in the world, loss of their goods, and imprisonment of their bodies, with other calamities long endured, in the end, tired with miseries and overcome with temptations, have yielded themselves unto the time, and thereby lost all the fruit of their former travail; declaring themselves therein not unlike the famed gold of the alchymist's forge, which, being put into the furnace, is never able to endure the seventh fire: of which sort I would name a great number of the laity, both men and women, of all degrees, with some also of the clergy, if it were not that, seeing Almighty God hath yet prolonged their time to bring them to repentance, I live in hope and expectation of their amendment. * * * * * On the other side, our enemies go forward, and they prosper in their ways: their policies take place, and their desires are accomplished. If they seek to know us, we are bewrayed

and described unto them; if they search, they find us; if they find, they commit us; but whether they find or no, they ransack, rob, and spoil us. No friendship can we expect when we are apprehended, nor safety assure us to live untaken.[1] To abide at home, if it be espied, we dare not; and to fly far, we are forbidden by statute. Five miles are our compass, without the which we incur no little penalty, within the which we live in extreme danger. Either publicly or privately, the one must of necessity be chosen; though neither can content our adversaries, and both are prejudicial to ourselves: for, if we converse openly, if we buy or sell, if we traffic in our necessary affairs, or take care of our own commodities, if we laugh, recreate ourselves, or carry any indifferent countenance, then are we either too wealthy, or else too well, to live: such prosperous fortune is not tolerable in men of our profession. The felicity they covet themselves, they envy that we should have it, and a small worldly favour obtained by us doth turn us to no little prejudice; being we gain nothing thereby but hatred. But if we live in secret, and delight ourselves to be solitary, if we cut off all access of our neighbours, or refuse to keep company with such as love us not, then

[1] ["The liberty of catholics is at twenty days' warning, when it is at the most, and every of the better sort bound in great bonds and sureties for his appearance. Yet this liberty is very great, in respect of their commonest usage; for they are, for the most part, in prison, or in restraint at some men's houses, neither permitted to enjoy their lands, houses, and countries, nor to converse or spend that they have among their neighbours.

"They are continually in their liberty vexed with searches and pursuivants, in danger of their lives by such things, which they themselves *(the pursuivants)*, perhaps, brought into the house.

"Over such catholics as are abroad they set such watches, that, if there be any means to make them fall into their hands, they fail not to put it in practice by their spies and catchpoles, who, under good pretences, sometimes work the undoing of good houses. * * * *

"Many times catholics are taken, and put into prison, and there they lie a long time, before there is any enquiry of the cause of their committing: and though it were but some pursuivant's malice that cast him in, yet he is not let out, without great vexation, loss, and misery.

"Every catchpole may be a means to throw any ordinary man in prison, if he be a catholic. And if any protestant bear any evil will, or owe any money, or, for some other like cause, malice a catholic, if he do but cry 'traitor' in the streets, or cause a pursuivant to arrest him, he may be sure to have him clapt fast enough in prison." Orig. Letter to Verstegan, an. 1592, apud Stonyhurst MSS. Ang. A. i. 70.—*T.*]

do we busy our heads, in their conceit, to devise against them secret conspiracies; and our leisure is a sufficient argument with them, that we occupy ourselves about no other matter, save only to stir and contrive seditious factions. Indeed, a lecher feareth none be honest, and a guilty conscience suspecteth all it loveth not: otherwise, what reason moveth them to doubt us, seeing by continual vexations they have disabled us, and by taking our weapons from us they have disarmed us? Yea, such a continual eye and watch they have over all our actions, that, if there were but any light sign or token to be found of any such attempt or enterprise, it could not escape unespied: for, first of all, they have planted themselves and their officers, sergeants, pursuivants, factors, favourites, and intelligencers, in every country and shire, in such sort, that there is no catholic can remain in any place so privately, but that he shall have one or other of his adversaries so near unto him, that shall oversee all his doings. Besides, they have suborned such a number of secret spies, who, under cover of catholic religion, do insinuate themselves into our company and familiarity, and that with pretence of such zeal, sincerity, and friendship, that it seemeth a thing almost impossible either to decipher or avoid them:[1] and these men do give intelligence, and inform our adversaries continually, of all our actions, sayings, and many times our secret intents, if they gather, by any sign or sinister suspicion of their own, that we are conceited otherways than they would have us. * * * * * Moreover, lest we should take any breath to

[1] ["Justice Young and higher magistrates, as Tirrel himself confessed, under his hand and oath, bad him say mass, hear confessions, and minister sacraments: so, in the end, he told them what and to whom he had done it; so seeking to entrap folks, and making men to break their own laws, of purpose to draw them into their penalties.

"Their spies, as, namely, Burden, Baker, Vachel, have pretended themselves to be catholics, and that, by the warrantise and advice of their superiors. They have heard mass, confessed, and received, only of purpose to discover catholics, and to entrap them.

"They made one purposely to seek to be reconciled by one Mr. J. ——— now in Wisbeach, and came to confession to him; and all this, to entrap the priest, as, indeed, he did; apprehending him at the same instant. The like they have often attempted with others." Letter to Verstegan, ut sup.—*T.*]

look about us, we are vexed and oppressed so urgently, with such often, and most cruel searches, that we have more occasion offered to study how to save ourselves from present dangers, rather than to devise by what means we may invade others.[1] Add unto these the singular industry and diligence proceeding from an implacable hatred and malice, which our persecutors use in pursuing us, and inventing all means possible to hinder our rising, or to procure our ruin; what precise course and vigilant care is there taken, that none shall pass from any port in all this north country, to go beyond the seas, or come from thence and arrive at any haven, but that he shall be searched and examined, what he is, of what profession, of what religion, from whence he cometh, whither he goeth, what he bringeth or carrieth with him, yea, and many times, attendance made for him, and intelligence given of him, long before his arrival; so that none can pass either to or fro, without manifest peril of present apprehension: What enquiry is made, and search also, with examination of parents and friends, who hath his son or brother beyond the seas? who relieveth any, or favoureth any, in those parts? Also what general enquiries and searches are there made, not only in some particular private houses, but also in common inns, and whole towns, as Durham, Yarm, and many others, for all strangers and passengers, and that, upon any light occasion: What charge is given in all sessions, assizes, courts, commissions, gaol-deliveries, and other meetings, to enquire, present, and endict all persons, as well servants as masters, and all matters that any way tend unto the furtherance of the catholic cause: How curious is

[1] ["Their searches are very many and severe: their chief times for them are when catholics are most busy to serve God, as on Sundays, holidays, Easter, Christmas, Whitsuntide, and such very great feasts. They come either in the night, or early in the morning, or much about dinner time; and ever seek their opportunity, when the catholics are or would be best occupied, or are likely to be worse provided, or look for nothing. They willingliest come, when few are at home to resist them, that they may rifle coffers, and do what they list. They lock the servants, and the mistress of the house, and the whole family, up into a room by themselves, while they, like young princes, go rifling the house at their will." Letter to Verstegan, ut sup.—*T.*]

every one, both officers and others, now become, some of malice, some for gain, others of flattery to win favour or credit, to observe and espy into every man's actions, with such suspicion and jealousy of every one, that no stranger can pass any way, or light in any company, but that he shall be questioned, sifted, and examined of every peasant, both of his name, dwelling, acquaintance, business, calling, and other particulars; that, if he chance to dissemble, or fail in any of his words or answers, presently he shall be in danger to be suspected of further matters, and forced to appear before some officer, for some further examination and trouble. Finally, so odious a thing it is amongst all, to be suspected or accounted a catholic, that even those who, in their hearts, love our religion, do, notwithstanding, hate our profession of the same: for, to aid us they dare not, lest they be taken as favourites; and to speak for us they will not, lest it breed their discredit. Our parents and kinsfolks refuse to shew us that friendship, which both the law admitteth, and nature exacteth, lest they should seem so to affect our faith, by favouring our persons.[1] Thus are we spited because we live, and, living in misery, we are not pitied; and, though our life be tedious to live thus oppressed, yet must we think we have great favour shewed us, that we are not quite despatched. What other favour we get is more to our cost; for the friend-

[1] ["Many children are rejected by their parents, and wives put from their husbands, because they are catholics: yea, many parents betrayed by their children, and by their other heirs (as sir Thomas Fitzherbert by his nephew); and husbands and wives kept in awe, each by other, if the one be a protestant." Letter to Verstegan, ut Sup.

Of Fitzherbert, Garnet, in a letter to Persons, dated Nov. 19, 1594, recounts the following anecdote. "Topcliffe and Tom Fitzherbert pleaded hard in the chancery, this last week. For, whereas Fitzherbert had promised, and entered into bonds, to give £5000 unto Topcliffe, if he would prosecute his father and uncle to death, together with Mr. Basset, Fitzherbert pleaded that the conditions were not fulfilled, because they died naturally, and Basset was in prosperity. Basset gave witness what treacherous devices he had used, to entrap him; and Coke, the queen's attorney, gave testimony openly that he very well had proved how effectually Topcliffe sought to inform him against them, contrary to all equity and conscience: so that, all the court flouting Topcliffe, the matter was put over to secret hearing, where Topcliffe had the upper hand." Orig. Stonyhurst MSS. Ang. A. i. 82.—*T.*]

ship, granted unto us, is always the prey of our adversaries. First, they spoil us of our goods, and after, persecute our persons: they imprison our bodies, and afflict our families, in our absence. No little gain they make of us, while we remain in their custody; and small is our winning, if we chance to get liberty. The chiefest favour must be procured, by their means that have spoiled us before; and yet their lip-labour is so costly unto us, that it picks round sums out of our purses: and, although no right we can get without money, yet must we think ourselves beholden to them for their courtesy: which friendship commonly is granted, on such terms and conditions, that hardly can we accept of it, or use it, without manifest peril of damnation.[1] To conclude, all the favours they offer, or shew unto us, are no otherways to be esteemed of, than as most dangerous snares, laid in our ways to entrap us unawares, or as so many poisoned baits, craftily invented to feed themselves with our destruction; that, in every respect, may be verified in them that is written, "The wicked have drawn out the sword, they have bent their bow, to cast down the poor and needy, to kill the upright of heart:" And again, "They lie in ambush, that they may catch the poor man; to catch the poor, whilst they draw him to them."[2] We, in the meantime, do expect no other remedy, but only from God, who is our refuge and assured haven, where no storm can oppress us; unto whom, with the prophet, we do complain continually, "How long, O Lord, shall

[1] "[Catholics' livings are begged, first by one, then by another, and the poor catholic enforced to compound with all, and to buy his own three or four times over.

"They buy and sell catholics, like calves in the market; and if they be in prison, their best course to get out is, to seek to be the pennyworth of some catchpole, who, for a reward of his service, is often permitted to have the sale of some prisoner's liberty.

"In the law that prescribeth two parts of recusants' lands and goods to the queen for recusancy, when they cannot pay thirteen score pounds, by the year, there is a proviso that the owner shall not be tenant to his own lands, nor take them of the queen: but they are given to some hungry companions, who oftentimes cut down the woods, spoil the grounds, and make a most careless havoc of all things." Letter to Verstegan, ut sup.—*T.*]

[2] Ps. x. 9; xxxvi. 14.

I cry, and thou wilt not hear? Shall I cry out to thee, suffering violence, and thou wilt not save? Why hast thou shewed me iniquity and grievance, to see rapine and injustice before me? Why lookest thou upon them that do unjust things, and holdest thy peace when the wicked devoureth the man that is more just than himself?"[1] And with another, "Why doth the way of the wicked prosper, why is it well with all them that transgress and do wickedly? Thou hast planted them, and they have taken root; they prosper and bring forth fruit; thou art near in their mouth, and far from their reins." But what followeth? "Gather them together, as sheep for a sacrifice, and prepare them for the day of slaughter:" and a little after, "Come ye, assemble yourselves, all ye beasts of the earth; make haste to devour."[2] Which revenge I beseech God may light upon their sins, and not upon their persons, that their souls may be saved.

But to descend unto particulars. Let us consider and examine what their laws enacted be, what injurious commissions are directed, what impious and cruel officers are chosen and appointed, their manner of proceeding, their practices and executions, that it may appear how conformable this affliction of ours is unto the ancient persecutions raised by the jews, heathen, and heretics, against our forefathers, and wherein they strive, every day more and more, to become more ingenious in devising new means and occasions to oppress us, and, by progress in impiety, to excel themselves. And, first of all, their laws and statutes, from time to time enacted for this purpose, may plainly convince and declare unto us what cruel minds they bear against us, and how all their study and endeavour tendeth our overthrow; for the laws are the rules whereunto men direct all their actions. * * * *

Having given a summary of the penal statutes, passed during the present reign, and already described in the foregoing pages, the paper thus proceeds:—

These, with many others of the same stamp, are the laws, orders, and directions set forth by public edict,

[1] Habac. i. 2, 3, 13. [2] Jerem. xii. 1, 2, 3, 9.

to the defacing and utter overthrow of the catholic faith, and all true christianity amongst us: the which laws, as by tract of time they have never remitted anything of their former rigour, but, by new additions thereunto, from year to year marvellously increased the same, so they manifestly declare the progress of their authors in hatred and malice, and that continually the latter parliaments do excel the former in cruelty, whereby we may easily conjecture what we daily suffer in these later years, and what more we may expect at their hands, in time to come, if God shall permit them long to continue. * * * *

Two things I do note out of the very laws, whereof the one must of necessity follow; that either by them the prince is made a God, or else religion is nothing with them but a mere policy. What meaneth this precise exaction of conformity in matters of religion, as frequenting their churches, prayers and sacraments, &c., the which in their laws and statutes they term a natural obedience, due to the queen, if they did not intend thereby the prince to be more than a creature? For, if the obedience in us be natural, then surely the superiority, jurisdiction, and preeminence in her is natural, after the same manner as all other princely power belonging to a king or queen is: then *naturally* may she institute bishops, priests, pastors, and preachers in the church, and *naturally* give them power to bind, loose, feed, rule, and chastise, in all matters belonging to heaven, hell, salvation, damnation, and universally in the spiritual government of men's souls: unto all which things the jurisdiction and authority of the pope, Christ's vicar and vicegerent, did extend: yea, in this she goeth beyond him, in that this authority *naturally* belongeth unto her, which only *by grace*, and to the discharge of a supernatural or spiritual office, is granted unto him. And whereas no spiritual jurisdiction can, in any wise, be natural unto any man, angel, or pure creature whatsoever, save only unto him whose nature is supernatural, whose essence is the fountain of all grace, and whose power is omnipotency itself, it fol-

loweth that she also must attribute unto her something more than is to be found in any creature, in which respect this jurisdiction and spiritual power is natural unto her, and whereby she may, as queen, exact this natural obedience of us: and, consequently, she "thinketh it not robbery to be equal with God,"[1] to whom only by nature such preeminence and sovereign authority is due. And so, without blame, may she account and condemn us for traitors, and all our actions for treasons, whensoever we deny, withstand, or derogate from this spiritual power, so natural unto our prince's person: and, of the contrary, not to esteem it any flattery, if we call her our "saint," or our "Goddess," which titles she doth not utterly mislike, being offered and attributed unto her highness sometimes by her flattering clients. And finally, supposing this to be true, it ought not to seem strange unto us to consecrate in religious manner all our substance, and labours, and endeavours, both temporal and spiritual, in her sacred service, but to sacrifice also ourselves, our friends, our bodies, lives, and souls to the setting forth, extolling, and maintaining of her celestial power, preeminence, and jurisdiction. Now, if shame (whatsoever her arrogancy inclineth her unto) will not permit her to acknowledge these titles, as all christian ears and hearts abhor to consider it, then surely she cannot avoid the other inconvenience, that, by their laws and government, religion is perverted into a mere human policy. Every one, hearing the name of a king or queen, understands nothing else thereby but a secular prince, or a temporal governor; neither did I ever hear (to my remembrance) that she did, at any time, acknowledge or term herself a spiritual magistrate, or take upon her to exercise or execute any spiritual function; yea, by special words in their injunctions, such offices are excepted and exempted from her. But if she, being but a temporal prince or magistrate, may, of her own due and proper or natural authority, or (as the law speaketh) as queen or sove-

[1] Philip. ii. 6.

reign, direct, order, reform, and correct all persons, both ecclesiastical and temporal, in all causes also, ecclesiastical or spiritual, as errors, heresies, schisms, &c., then must it of necessity follow, that all those persons, actions, and causes depend and are subject unto the temporal magistrate, and her government; and consequently to be, of right, by human prudence, wisdom, and policy, ordered and directed. And what other thing is this, than flatly to deny that there are any spiritual or ecclesiastical causes, authority, or jurisdiction at all, and to abolish all faith and religion, with the truth and virtue thereof, and wholly to submit all to man's reason alone; reserving only for a shew the bare names and titles of religion, and all religious power, causes, and operations? For sure it is, the effect cannot exceed the virtue of its cause; nor any orderly action, the perfection of its rule and direction; nor any inferior science, power, or office, the force, dignity, and end of its superior. Wherefore, if the kingly authority give power, virtue, and direction unto all, then let the soul give way to the carcase, let faith yield to reason, let heaven bow down unto the world; yea, seeing the power and policy of the king, as he is a king, cannot reach or extend itself to any of these, let us take away and banish quite from our hearts all consideration of what shall befal us after this life, and let us say there is no judgment, no resurrection, no eternity of the soul, no heaven, no felicity, no God:—hell only excepted, the which, will we, nill we, shall be the final end of all our policies, and assured inheritance of all misbelievers, both princes and subjects. And, verily, this is the religion now embraced amongst the heads, and not abhorred of a great number of followers, as most evidently appeareth, if any list to consider the trees by their fruits, and guess of their minds by their proceedings, practices, and behaviours.

Amongst all that, in our time, have borne office in this north country, this earl of Huntingdon, lord Henry Hastings, may easily take the upper hand of all, for his bloody and cruel mind against catholic men, and their religion; a man, as he is thought, of no deep reach in

matters of weight or judgment, yet, through continual practice in persecuting us, these twenty-two years he hath borne the office of president, is grown so ingenious to work us trouble and disquietude, that herein he need not to give place unto any, though they be of greater wit and capacity. What helps he hath herein, you may consider; for he wanteth not his special authority and commissions, granted him from the higher magistrates, of purpose. He is not to seek his directions and instructions, and especially from the old practising treasurer: he hath his council of chosen men, for the turn, his espials, his informers, his executioners, of picked companions, so ready to run, to seek, to take, to spoil, and to execute whatsoever he biddeth them, with such expedition, such insolency, such cruelty, that neither fear of God, respect of law or equity, nor regard of civil honesty, taketh any place amongst them: and although himself be of a weak constitution of body, yet it is incredible what pains he taketh, both day and night, in watching, in writing, in travelling, without respect of frost, snow, and other importunate weather; that a man may well perceive that his malice goeth far beyond his might, yet is his might more than enough, seeing unjustly it oppresseth so many. In religion, he is taken for a prince of puritans, wherein he sheweth great zeal and forwardness externally, and all are welcome to him, that are accounted friends of that faction.[1] But religion in magistrates is framed now, in England, commonly after Machiavel's rule, to make a shew of a thing, where the substance wanteth, and any may serve well enough, if it agree with their policy; and he, being a competitor to the crown if any thing fall, supposeth, perhaps, that

[1] ["Although the puritans are not generally put in authority, or used for the government of the commonwealth, yet are they ordinarily employed in the punishing and executing all kind of rigour against catholics, as being tried by experience to be most vigilant in finding them out, and violent in afflicting them, and most pitiless in their pains. So that, in every shire, those justices, who be known to be most forward in the puritan faction, though otherwise they be little employed in matters of the country, or esteemed of the state, yet they are the men that are put in commission against catholics. They are the searchers, they are the informers, they are the judges, and they are made, as it were, the kings of catholics." Gerard's MS. account of the Plot; copy, belonging to my friend, the Rev. Geo. Oliver, of Exeter, to whose kindness I am indebted for the use of this, and several other documents.—*T.*]

sort of people the fittest instruments to compass his purpose, as they accord best with his humour: for their religion consisteth rather of a furious hatred, or presumptuous obstinacy to contradict others, than in any positive doctrine of their own, unless it be in singing of a psalm, or hearing of a sermon, wherein they be rather *auditores obliviosi, quàm factores verbi*, seeing good works with them are but tokens of papistry. As for others, what estate or calling soever they be of, if they be either suspected to favour the catholic, or not forward in the shew of puritanism, or such as are not ready to employ themselves, or to be employed by him, and others at his appointment, to the trouble and molestation of their quiet and innocent neighbours, seldom can they have either access to him, or favourable countenance of him: whereas, of the contrary, how base or naughty a companion soever he be, if he be zealous, as they term him, a betrayer of his friends, a spy, an intelligencer, a deceiver, a dissembler, a catchpole, and such like, but he shall have free access at all times, his favour, his countenance, his hand, his embracing, yea, offices, and authorities, and what other friendship he shall require; whereby they grow so malapert, that they respect not what injury they do, whom they accuse, slander, oppress: yea, the best in the country dare not contrary them, lest they be complained of by them unto the president, and receive a check or displeasure for it.

An example may be given in one Henry Sanderson, a bankrupt merchant, and base companion; yet, for his pretended zeal in puritanism, and Machiavelian subtilty, a special instrument to the president. This man * * * * * * being made gaoler of Bransby castle, a house belonging unto the earl of Westmoreland, but now a prison for catholic men, a gentleman had got a warrant for the delivery of his wife, being there in hold for her conscience; and Sanderson, the gaoler, demanding his fees, the gentleman opened his purse, laid forth money as much as he thought sufficient, willing him to take his right, saying, "Mr. Gaoler, serve yourself." But he took it so grievously that the gentleman called him a gaoler (though he were so indeed), that

he informed the president that the gentleman had abused him: whereupon the gentleman's wife was kept still a prisoner, notwithstanding the former warrant.

A worshipful esquire, being catholic, * * * had his house searched by one Cobham, and two other catchpoles, accompanied with certain of the president's men, who spoiled his house, and took away his silver plate, and other things of value; and the under-sheriff of the shire, being sent, in the bishop's behalf, to see that no outrage were committed contrary to equity, seeing Cobham and his fellows take away the gentleman's goods, and being demanded why he would suffer it, answered that he durst not contrary them, though he knew it were injustice.[1] Many more examples I could allege, to shew what credit and sway such cozening companions do bear with the president, whereas others, of the best worship and wisdom in the country, are rejected, and scarce well looked upon; because their credit and honesty doth not permit them to be employed in every base and odious enterprise, at his pleasure.

And of these kind of men he hath such plenty and variety, that not only his own household and family consisteth most of them, but every place in the country is

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[1] [This was not an unusual occurrence, even in other districts. "The pursuivants from a gentleman, in searching his house, took a bag of money of three score pounds. The gentleman coming to the secretary Walsingham, to complain of the wrong and the theft, was answered, that the queen's men must be considered, and, if he put the matter in suit, it should cost him much more. * * *

"There have divers, under the names of pursuivants, come with feigned commissions, and have robbed catholics' houses and others. In Yorkshire, many catholics' houses were by such rifled, to their great vexation and loss. In Worcestershire, one Mr. Reynford, a gentleman, was robbed of better than one hundred marks by these forged companions; they being assisted in their robbery by justices of the shire. And it hath been put in practice by divers counterfeit mates, who made an occupation of it, and, even with the aid of the constables and officers, have spoiled many poor catholics; and yet no remedy can be had against these miseries.

"The pursuivants are, for the most part, bankrupts and needy fellows, either fled from their trade for debt, and by the queen's badge to get their protection, or some notorious wicked man, whose godless disposition is apt to be employed to any mischief. Insomuch, that it is a great increase of catholics' misery, and a thing almost intolerable to flesh and blood, to have so base and infamous castaways to come and crow over the best gentleman, yea, nobleman, in his own house, and use such imperious and princely behaviour, as would move choler to the most patient mind." Letter to Verstegan, ut sup.—*T.*]

replenished, punished, pestered, and oppressed with them. Some are set to observe, watch, and oversee every man's actions, behaviours, and inclinations, and thereof to give continual notice and information: some are employed, by flattery, colour of friendship, and shew of religion, not only to associate themselves, enter in, and sift out every man's secret actions and intentions, but also to push and draw men into divers companies, places, and exercises, to that end they may accuse them, or bring them into danger or trouble.[1] Some are instructed and warranted, by precepts and particular commissions, to search, examine, apprehend, and carry to prison, when and whom they list, as by intelligence they shall be advertised, or by false brethren matters shall be betrayed unto them: others are placed in public office and authority, to countenance, aid, and assist these other catchpoles, that no resistance be made nor any attempt be frustrate, as justices of peace bailiffs, constables, churchwardens, and head commissioners; also sheriffs and under-sheriffs, &c.; in which rooms such men are most preferred, who are most forward in puritanism, or of least conscience, reason, and honesty, not only of the laity, but also of the ministry. And if it happen that any officer seem negligent, calm, of mild disposition, loath to be a persecutor or disturber of his neighbours, or [do] anything to favour the afflicted, then means are devised, either to sharpen or prick them forward, by checks, threats, or flatteries, or else utterly to discountenance or displace them, and thrust into their rooms others of less honesty and more cruelty; wherein such diligent care is had, that, in such offices as go by election of voices, or as are at the disposition of some other superior officers, the president seeketh, by covert means, to have them at his own appointment. Thus he entreateth and indenteth with divers gentlemen in the country, that, if it be their lot to be chosen into the office of sheriffs, they will be content he shall have

[1] [As an illustration of the objects to which the powers of the pursuivants were applied, and of the means adopted by them to obtain evidence againt their prisoners, I will subjoin, in the Appendix, the account which Mr. Robert Barnes has left us of Topcliffe's proceedings in his regard. See No. XXXVII.—*T.*]

the nomination of their under-sheriff; so likewise, in corporate towns, to have the mayors and other officers at his disposition. Whereby it cometh to pass that base sheriffs, and other superior officers, of their own nature otherways modest and reasonable, are forced to use much cruelty, lest they be accused of slackness by their own substitutes, being factors for the president; yea, if they deal little or nothing at all in person, yet shall they be the authors of much mischief, injury, and injustice, by means of these substitutes, who will take upon them, in their names, to execute their office at their pleasure and discretion; who, if they abuse this authority, yet dare they not correct or find fault with them, lest they incur thereby the president's displeasure. By this means many that seem well affected, yet, either to win credit, which otherwise cannot be gotten, or for avoiding of disgrace and further inconvenience, are drawn, by little and little, into these bad actions and causes, that, lest they should be suspected to bear the affection they have indeed, they become more cruel than the rest, and, using themselves no otherwise than lions by kind, amongst whom they are nuzzled and trained, "they learned to catch the prey, and to devour men; to make widows, and to lay waste cities."[1] Finally, the whole country, framing themselves after these examples, and desirous to feed the humours of such heads, partly for fear, and partly to gain favour, are become ready and forward to execute whatsoever they are invited or called unto; as appeared by the search made at Candlemas was a twelvemonth, when the whole country over Yorkshire, Richmondshire, Bishoprick, Northumberland, were up, upon one night, to search and rifle catholic men's houses, in such numbers, that some one poor house was set about and sacked, with one hundred, six score, and seven score men at once; at which time, although the chief commissioners of searching were directed to the justices and certain other trusty and forward fellows (who ordinarily are joined in commission, to oversee the justices' actions, that no favour be showed), yet every one, for his credit, did thrust himself into action

[1] Ezech. xix. 6, 7.

amongst the commissioners, breaking, spoiling, tossing, and turning poor catholics' houses at their pleasure, a thing tolerated and winked at in such affairs.[1] What need I speak of the diligence was used, not only in sifting every corner of their houses, chambers, parlours, stables, barns, lofts, privies, and chimnies, yea, the fields and woods abroad also, so that no place remained unsought, no door, chest, coffer, desk, casket, or whatsoever thing that was locked, was left unlooked, or broken open, if the keys were not presently brought; but also, for divers days, and especially nights, going before, all fords, bridges, and passages were laid, and the houses watched, to mark who passed to or fro, and what resort or company was in every place; yea, small respect of civility or compassion was used; for, at the same time, a catholic gentlewoman, Mrs. Fulthrop by name, being in travail with child, the midwife being with her, and having sent one of her maids into the town, to call for the company of wives, to assist her in that time of danger and extremity, the searchers, in the meantime, coming and besetting the house, would neither permit the wives, nor yet the maid that was sent to call them, to enter in to help her mistress: the gentlewoman, labouring without sufficient company, was glad to use the help of such persons as she had of her own, and, God assisting her, she was delivered of two children;

[1] ["Their manner of searching is, to come with a troop of men to the house, as though they come to fight a field. They beset the house on every side; then they rush in, and ransack every corner, even women's beds and bosoms, with such insolent behaviour, that their villanies in this kind are half a martyrdom. The men they command to stand and to keep their places; and whatsoever of price cometh in their way, many times they pocket it up, as jewels, plate, money, and such like ware, under pretence of papistry. * * *

"They oftentimes break walls, untile houses, unceil chambers, pluck up boards, to the owner's great loss and trouble; and yet no satisfaction for these damages made." Letter to Verstegan, ut sup.

On the subject of satisfaction, the same writer says,—"Catholics' suits, be they never so just, they very seldom take effect, unless it be by extreme bribery to some of the council or judges. Great suits, which are of consequence, they suspend still undecided, not suffering any sentence to be given in them, to the undoing of catholics sometimes. * * * * The judges will openly say that the papists shall have no law at their hands, sith they will not obey the laws,—namely, those against religion.

"If, by a catholic's losing his suit, the queen may be but a trifle the better, or gain any thing by it, he is sure to be cast, be his cause never so good." Ibid.—*T.*]

and after, the searchers, threatening to burst open the door where the gentlewoman was, were let in, searched her chamber, not sparing the very bed wherein she lay, thrusting their swords into the same, and frightening the poor gentlewoman in such sort, that she never recovered her perfect health, but died not long after. And because they would not have the innocent children to escape their part of misery, they made the father enter into a bond of a great sum of money, to cause them be carried unto the heretics' church, and to be christened by a minister in contempt of their mother's religion.[1]

* * * * * *

But let us return again into the matter we begun to speak of. As the officers appointed are commonly men of least conscience, and most forward in heretical fury, so great care is taken by the president and other superiors to espy out, preserve, and cherish such persons as are of evil demeanour and bad conditions, whereby, as out of a seminary of all mischief, they may never want fit instruments to supply the places of such, as, either by death are taken away, or for their good service are advanced to higher offices. In this sort, did the president, and doth yet, most unjustly, and not without great damages, by daily, or rather nightly, incursions made into the country and towns, hamlets, granges, and outhouses of many inhabitants, stay and hinder that the

[1] ["Sometimes they are so uncivil, that they will search the very beds, where man and wife do lie, at their first breaking into the house, when they come in the night, as in London it is, most commonly; yea, sometimes into the beds, where women lie in childbed. Yea, they will not spare grave ancient matrons, and women of great place. One ancient lady (the lady Nevill) lying in Holborn, in London, was in this sort so rudely handled by them, that she fell sick upon it, and lived not long after." Gerard's MS. ut. sup.

"When their wives are great, catholics are forced to shift them from place to place, to conceal their lying in, lest their children should be christened heretically; and sometimes want the sacrament wholly, through the malice and fault of the ministers, and want of due matter or form of baptism.

"Many women with child have been delivered before their time, to the danger of themselves and children, by the sudden and violent frights of pursuivants, who, like pitiless furies, rage every where alike, without compassion, or care of the diseased.

"Catholics have no less difficulty to avoid the danger of churching and purification, than of lying in; being watched, in both respects, by malicious eyes." Letter to Verstegan, ut sup.—*T.*]

law should not proceed against a company of thieves, outlaws, and spoilers of their neighbours and country, who, upon a night, made a road into the bishopric, and therein had taken and driven away almost all the beasts and cattle of a town called Clifton: and the thieves being known, and the fact proved, the persons injured can have neither law to proceed against the malefactors, nor redress of their losses and injuries sustained, because the president putteth off their suits from time to time, pretending, notwithstanding, in words, that he will do what he can to make them have justice; but, indeed, protecting the malefactors, because they be fit men (as they term it) to do the queen good service. How commodious they be, in the meantime, in his affairs, living at liberty, God wot; but the town aforesaid and parish thereof do complain that, since the former fact committed, which is now about one year ago, they have sustained about £700 damages by the former offenders and their adherents; while they cannot be permitted to obtain justice. What other injuries are committed, in other places, by the same men, I leave it to your own estimation, especially they being, many of them, gentlemen, and such as bear a sway and countenance in the country. * * * *

John Spence, godson unto Mr. Trollope, and his father being his household servant from his youth, for betraying his master and godfather, being then a catholic, was therefore entertained into the president's service. Francis Eglesfield, for betraying Mr. John Boast, and one Thomson, for apprehending Sir Henry Stapper, priests, were therefore accepted to wear the president's clothes; men void of all grace and honesty, whereof the last-named had a commission granted him from his lord and master (as he boasted himself, for his good service, and further preferment), to search catholic or such suspected places, in Richmondshire, where he dwelt, when and as oft as he listed. And, indeed, about christmas last, he searched the most of the catholic houses thereabouts; during which commission (which I fear is not yet expired, for they

grant sometimes commissions dormant, which few know of besides themselves), there happened a certain man to pass through fields, near the town where a pursuivant dwelt; and, not perfect in the way whither he was to go, demanded of one ploughing in the field the way unto a place, naming the house of a catholic. The ploughman, suspecting the traveller, as it should seem, to be a priest, being in apparel something scholarlike, shewed him the way, saying withal unto him, that he took him for *a good man;* for so catholics use to call their catholic priests. "Yea," said the traveller, "that I am." Then the ploughman began to moan himself, and the case of other catholics thereabouts, as though himself had been one indeed; that they were in great distress of sacraments, for want of *good men* to help them, desiring withal that it would please him to do them that friendship, as, in some place, to serve them in their need. To whom the other man said, that, if he would come, in the morning, unto the gentlewoman's house thereby, he would serve his turn; and so went on his way. The ploughman, supposing to have found a prey for his neighbour Topcliffe,[1] informed him of all had passed between him and the traveller, describing the man by his shape, his apparel, and a dog that followed him. Topcliffe[1] calleth his mates together, [and] assureth them of a prey. Early in the morning, [they] beset the gentlewoman's house, enter in by virtue of their commission, search up and down in every corner, to find the priest, but fail of their purpose. In the meantime, the traveller, who had been there the evening before, and after, lodged all night in a town hard by, cometh unto the door, knocketh at the gate; and Topcliffe,[2] playing the porter for the time, openeth, and, by the description of his person given him before, suspecting he was the man he sought for, examined him what he was. "A man," quoth he, "as you see." "So I perceive," said the other; "but I ween you be the

[1] [This name is blotted out in the original: but may, I think, still be traced.—*T.*]

[2] [The name is here also erased, and, in its place, the words "*the pursuivant*" substituted by another hand.—*T.*

man we seek for." "It may be so," quoth he. "What," saith Topcliffe,[1] "are you not a priest?" "No," quoth he, "I am no priest; but, if you had said I was a clerk, you had guessed better; for I am indeed the clerk of" *such a town, naming the town*;[2] and so the whole fable ended pleasantly. Yet hereby you may perceive by what means, many times, catholics fall into trouble, the watchfulness of our persecutors, and virtue of their commissions.

Luke Hutton, nephew unto the false bishop of Durham that now is, from a catchpole and common thief, was preferred by his uncle unto the office of the bailiff of Sadberge; and, a prison being in the town, for his more commodity was made gaoler unto the catholic prisoners; who, being practised before in picking men's purses, was thought a more fit instrument to impoverish his prisoners: wherein he used such art and industry, that, if he could have observed any reason or mean in his own expenses, his gain might easily have maintained him after the port of a gentleman. But lightly come (as the proverb is) is lightly gone; and evil gotten is worse spent. Divers were committed unto his custody, both worshipful and others, with whom he dealt in this manner. At their first committing to prison, he would make them pay a fine of five marks, three pounds, forty shillings, or as much as he could wring out of them by extremities: for some of them he thrust down into a low dungeon, or vault, under the ground, where there was neither light nor air convenient for man's health, to live eight days to an end, without danger of death, or other grievous malady. There would he shut up the poor men, until they compounded with him, according unto his desire; and when he had thus wrung out of them, and racked the poor men to disburse more than they were able to get many times (for the catholic gentlemen there imprisoned were contented to collect and disburse the money for them sometimes, lest the poor men's want should occasion their greater distress, at the cruel

[1] [Again the name is obliterated, and the word "*he*" substituted.—*T.*]

[2] [The name of the town was originally written: but is effectually obliterated. The words here given are substituted in the MS. for it.—*T.*]

gaoler's hands, in whom there was neither pity nor mercy), then, afterwards, they were at more quiet with him.[1] One poor catholic, having been thrust down, for a few days, and, after composition, permitted the liberty of the upper house, remained something heavy that he had light into the custody of so cruel a keeper: whom the gaoler perceiving to be sad, and nothing well contented, came to him, and said, to comfort him withal, "Be of good cheer man, the worst is past;" declaring thereby that the desire of lucre was the cause of his cruelty. The gentlemen, being better able to buy his friendship, which only was to be purchased with money, lived at the gaoler's table and diet, paying seven shillings weekly for every man's commons, which was a sufficient gains to the gaoler, their fare well considered, which ordinarily was nothing else but a piece of salt beef; which kind of diet the gentlemen not being acquainted withal, as also hurtful to the health of some of them, they requested of the gaoler's wife that, seeing they paid so well for their commons, at the least she would provide for them some wholesome fare, or that their beef might be more fresh, or better steeped: but the covetous woman, supposing that, if she should condescend unto their petition, then the toothsomeness of their slender allowance would be a mean that, her guests' feeding more liberally thereon, nothing would remain in the empty dishes for the sustenance of her family, which altogether depended upon the gentlemen's charges and allowance, answered them very thriftily, that there was no profit or thrift in so doing. Wherefore, they, fearing some inconvenience by their diet, made suit unto the gaoler, that they might be permitted to be at their own diet, yielding unto him for the rent of their chamber (for they were all thrust up together in one) thirty pounds yearly, which was agreed upon,

[1] [In this respect, however, Hutton was by no means worse than his fellows. Speaking of the usual treatment of the catholic prisoners, the writer of the letter to Verstegan, to which I have frequently referred, says, "In prison, if they have not relief, or be not able to pay, they are used like dogs, thrown into dungeons. If they be able to pay, they must pay what price the keeper will, or else they are most pitifully used." Letter, ut sup.—*T.*]

and some part of the rent paid before-hand: but, within a while, the gaoler, perceiving a want in his housekeeping, because he swept no crumbs after them, as he was wont to do, sought to draw them again unto his table, as before: but they refusing to be any more at his diet, having both made a covenant with him otherways, and paid their money, and also having been at great charges for buying pots, pans, and other vessels and implements, with hired servants to employ about their necessaries, he shut them all up close in their chamber, not suffering any to have access unto them; but, if their servants or other friends came, he searched them, sometimes unto the very shirt and saddle, read their letters, and shewed other extremities unto them; seeking, by this means, either to find some matter against them, for fear whereof he should in time make them incline unto his desire, or, by wearing them out with extremities, force them to return unto his table; in which case they remained until he, being known for committing a robbery, was forced to fly his house and forsake his office.

This same, besides the offices aforesaid, pretended to have a commission: I know not if he had one in truth, or not; but he had gathered into a scroll a great sort of names of catholics within the bishopric, whom, he said, the bishop had granted him to be his prisoners, if he could apprehend them. Wherefore, he took upon him to search their houses, and did apprehend divers catholics, and carried them straight unto his gaol, without presenting them unto any other officer; but of his own authority committed them, and, for bribes of monies, and certain annual penalties and pensions covenanted with them, did, without further warrant, enlarge them, and promised to protect them, or, at the least, not to trouble them; thinking thereby better to make a gain of them abroad, than to pester his house with too many at once; having no convenient room to receive them. And amongst other his bold attempts, he presumed to search a gentleman's house called Henry Lawson, a man conformable unto the laws, his

wife being a catholic, and in prison otherwheres for her conscience, and, without any warrant at all, apprehended the gentleman himself, and carried him straight unto his prison. But the bishop, or his secretary by his consent, understanding the matter, was so far from rebuking him for his fact, that, by a letter written unto him, he greatly commended his forwardness, and withal, lest the gentleman should sue him of an action of false imprisonment, sent him a warrant for his apprehension, after the deed was done; having no matter colourable to charge the gentleman withal.

In searching of one catholic's house, he happened to light upon a sum of money of ten pounds, belonging unto Margaret Henfield, a catholic woman, being absent; the which he took and carried away, and would not restore it, unless the woman herself would come in, and make claim unto it: but she, being afraid of being committed to his prison for her conscience, if she should appear, was glad to forego her money. In the end, no bribes, no extortions, no exactions and spoil of poor catholic men sufficing the lust of such a prodigal, drunken, and licentious fellow, he fell again unto his ancient trade of theft, burglary, and robbery, was, at length, forced to fly the country, * * * * and now, in Scotland, if he be not already dead, there liveth in great shame, distress, and misery.

What should I speak of Richard Outlaw, Collier, Robson, Sanderson, Spain, Rollinson, Bannister, Scarcroft, and a great number more, of no better disposition than the former, whose lives, practices, and behaviours are [so] notorious, that, if I should write all I hear reported by the mouths of credible persons, I should easily fill a book with tragical discourses of their infamous actions? This I have already said may suffice to give some aim what disposition the rest are of, and what kind of men they be, that now-a-days are desired, chosen, and employed for principal instruments and actors of this present persecution; who being of their own nature and vicious inclination prone to exercise cruelty, you may easily conjecture what mischief they are like to practise

against catholic men, to whose oppression they are destinate principally, if their proceeding be not only to the shew justified with pretence of law, but also confirmed and warranted by special authority, and particular commissions, directed and given unto them; the which they always interpret in such ample sense, and execute with such rigour, that the only name of their commission serveth them to justify all actions and injuries committed by them, where the words and construction of their commissions doth by no means insinuate any license to approve many voluntary attempts. And because, after the wise man's experience, "we have seen under the sun, in the place of judgment, wickedness, and in the place of justice, iniquity,"[1] let us first consider the authority of the president and other chief officers, with the use or abuse thereof, and from them descend unto their inferior vassals.

The president in this north country hath had, and hath yet, as he taketh upon him, three several and principal authorities granted unto him, of president, of lieutenant, and also of a head commissioner, next after the supposed archbishop of York, who is the foremost and first of that commission. By the two former, he supplieth the place of the prince's majesty (except in such matters as are proper unto the prince's person, and prime council, or in some other cases excepted and reserved), in all temporal affairs, politic and martial; by the last, he hath to deal in causes concerning religion, together with the rest joined with him in the commission; wherein, notwithstanding he make a shew to the contrary, yet, in truth, all is directed, ordered, and executed at his pleasure, and according unto his only will and appointment; neither can or dare the rest do anything, but strive only which way to please and feed his humour: yea, he useth these several offices in such sort, that he maketh one of them to countenance the other, and, confounding their distinct functions and places, applieth either of them to perform the office of

[1] Eccl. iii. 16.

the rest. In this wise, sitting as a head commissioner upon religious matters, he terrifieth with the name of lieutenant, making no difference between peace and war, and threatening to execute martial law upon afflicted catholics, if they refuse to shew friendship and conformity to schism and heresy; to which effect, provost-marshals were appointed in divers places, to put them in fear thereof. The same time, which was immediately upon the great proclamation, were a great number of justices of peace appointed commissioners, to take informations, call, and examine all catholics; and afterwards letters were directed again unto some of them, that they should further enquire and inform unto the privy-council, if there were any of the said commissioners appointed, that had either his wife or his eldest son a catholic recusant, that all such might be put off the commission, as not fit for the office, and others more forward, and less suspected to shew favour, might be substitute in their places.[1] These had bailiffs

[1] [This enquiry was not confined to the commissioners, but was extended also to the justices themselves. In 1587, Burghley addressed a letter to each of the bishops, calling their attention to this subject, and requesting them to inform him, among other things, what persons, in their respective dioceses, ought to be removed or excluded from the magistracy, either as recusants themselves, or as the favourers of recusants, or as the protectors of priests and jesuits, or, finally, as individuals "whose wives and families came not to church" (Strype's Whitgift, Append. 120). The answers of several of the prelates have been preserved. In the diocese of Peterborough, the following were returned as unfit:—

"Edward Griffin: a man of no great capacity or religion, and whose wife is a great recusant.

"—— Clark de Crowtor. This man is well reported for his sufficiency, but that his wife is a recusant."

In the diocese of Hereford;—

"Roger Bodenham, Esq.; for his wife is said to be a recusant.

"Richard Minors, thought to favour recusants.

"Walter Baskerville; for his wife is a recusant."

In the diocese of Worcester;—

"Ralph Sheldon, Esq. His wife a recusant: himself very wise, and a man of good sufficiency.

"Edward Blount, Esq. His wife a recusant: himself a man not inferior to the rest in wisdom.

"Francis Clare, Esq. His wife a recusant: himself an honest gentleman."

In the diocese of Bath and Wells;—

"Sir John Sydenham. Unworthy of the place, on these considerations:—his lady is a recusant; his eldest son's wife a recusant, and suspected to be married at mass."

In the diocese of York;—

"George Woodroffe. His wife is an obstinate recusant, and of long time

appointed to serve all process directed by them, and the ministers, churchwardens, and other picked men for the purpose, were directed to give informations, upon their oaths, unto them, and they themselves, at certain times appointed and agreed upon, to sit upon these matters, and to make relation and certificate unto the council above of all the names of those, that were presented unto them, and their other manner of proceeding. This enquiry and information was so strictly and diligently observed, that no catholic householder, servant, or other, escaped unpresented; for the churchwardens, being sworn, durst not omit or shew favour unto any, lest they should incur the danger of perjury, having others joined with them, of purpose to oversee their actions, and to observe and inform against them, if they discharged not their oath, and withal to supply their defect, if, by chance, or through ignorance, any escaped unpresented: and of this I suppose you have received something, in my other letters before. And, at the same time (*i. e.* two years and a half [1592]

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hath been. One that doth very much hurt:—an argument that he is not well affected himself. Such men as have such wives are thought very unfit to serve in these our times.

"Henry Constable, Knt. His wife is a most obstinate recusant, and will not be reformed by any persuasion, or yet by coercion. Her example is very hurtful." Strype, Annals, iii. Append. 169—180.

Of course the persons thus connected were removed, to make way for individuals, who were known to be "well affected in religion;" and Strype proceeds to boast, as the consequence of the measure, that, in Lancashire alone, at the next assizes, "there ensued a most plentiful detection of six hundred recusants by oath presented: as also the endictments of eighty-seven of them (as many as for the time could be preferred to the jury): and, further, a notification by oath of one-and-twenty vagrant priests, usually received in Lancashire, and twenty-five notorious houses of receipt for them." Annals, iii. 478.

This mode of dealing with the catholics, through their conforming or protestant connexions, seems to have originated with sir Francis Knolles, who, in a paper drawn up immediately after the discovery of Babbington's conspiracy, thus suggests it:—"Again, it were good, for avoiding that recusants should not swarm too fast, that her majesty should shew herself offended with such as do pretend to be good subjects, and yet do suffer their wives to be open recusants: for no man can deny but that the law giveth to every man so much power over his wife, that he may constrain his wife to come to church, and there to remain quietly for the service time. But what an open window will that be, to cause recusants to increase and to swarm, if her majesty will suffer men to serve her, the which will suffer their wives to continue recusants. But this they would soon amend, if they shall hear and know that her majesty would keep no such servants, that, after warning given, will not amend this fault." Strype's Whitgift, Append. 116.—*T.*]

since), and to the same effect, a commission was directed unto them, that an oath should be rendered unto all catholics, both in prison and abroad, whether, at any time, they had been solicited, moved, or persuaded, by either jesuit or seminary priest, &c., that, if an invasion should be made by the pope, or other foreign prince or power, they should take part against their queen and country: and a speech was given forth, that they were in mind to execute martial law upon all, that should not answer to their contentment. The prisoners were sworn unto the article aforesaid, and, without oath, examined in divers other questions proposed unto them, and process were directed for others abroad, that they likewise should present themselves, to do the same. In this commission, no authority was granted to commit such as appeared; yet, nevertheless, they committed some; others did they force either to enter into bond to appear before the lord president, at time set down, or else presently to go to prison: which was no small inconvenience; for that was, in effect, to bind them never to be freed from trouble again.

The president therefore intending, about Lammas 'sise following (which was An. Dom. 1592), to assault the constancy of catholics by a more cruel and fierce onset than before, sent out his process and precepts abroad, commanding, not only the catholics, but also such as, being conformable themselves, had their wives recusants, that, upon peril of further inconvenience, they should make their appearance, and present themselves or their wives before him, and the rest of the commission, at Durham, or Newcastle. He came first to Durham, but little was there said unto any: from thence to Newcastle, where the gentlemen of Northumberland were to appear. There the president appointed to sit in commission, in his own chamber, in H. Sanderson's house, something privately; having with him in his company, to make up a sufficient commission, one Stanhope, of the council at York, whom he brought with him, of purpose, out of Yorkshire, lest the Bishopric should not afford him such commissioners of their own, as were best for his purpose. In this com-

mission sat the president, the supposed bishop of Durham, Matthew Hutton, Toby Matthews, also called dean of Durham, with others. There were called in, Mr. Ralph Gray, then sheriff of Northumberland, and Mr. William Fenwicke, in behalf of their catholic wives: but they, being men otherways not only conformable, but also well thought of for their forwardness to be employed, got despatched in the end, although, at that present, it appeared some rigour was shewn unto them, in entering bond for bringing in of their wives, &c.[1]

[1] [In illustration of Fenwicke's "forwardness," Garnet, in his private report, apparently addressed to the general of the society, tells us that, on one occasion, this person, having fired one of the beacons of the country, and raised a body of one hundred and forty men, proceeded, in the dead of the night, to invest the three catholic houses of Dissington, Rowchester, and the Grange. At daylight the search began. Dissington, the property of the Ogles, was the first assailed: Rowchester, the dwelling of the Rutherfords, and the Grange, that of the widow Lawson, followed; and, before the close of the day, each of the three residences had been subjected to the violence of the intruders. In the last two, however, the heads of the family had eluded the vigilance of the searchers. To complete their work, therefore, Fenwicke and his party returned, on the following morning, to Rowchester; and, having put themselves at free quarters in the house, announced their determination to remain, until Rutherford and his wife should appear. These had concealed themselves in one of the hiding-places of the mansion. But hunger and confinement at length subdued their resolution. The voice of Mrs. Rutherford, asking to be released, betrayed the place of their concealment: the door, which unfastened from without, was flung open; and the captives, half dead from exhaustion, were brought forth and immediately committed to prison. A similar attempt to secure Mrs. Lawson, at the Grange, was less successful: but other captures speedily atoned for this disappointment: and a general search through the three counties of Northumberland, Durham, and York, at once terrified the catholics, and gratified the various passions of their assailants. As the latter approached, the former fled from their dwellings, to seek a refuge wherever it might offer. Many were taken: others, scarcely more fortunate, only escaped from the hands of their persecutors, to obtain a doubtful asylum in the woods, or in the caverns of the earth. Youth and manhood, infancy and age, the pregnant mother and the virgin daughter, alike were driven forth to the inclemency of the heavens; and, for a period of nearly six weeks, numbers were glad to find a shelter in huts, constructed for the occasion in some sequestered place, or to hide themselves, with the toad and the lizard, among the ruins which their neighbourhood might contain. Although the extract is necessarily long, I cannot forbear subjoining Garnet's own account of this transaction.

"Alia facta est," says he, "horrenda inquisitio in Northumbriâ. Ejus auctores fuerunt præsidentis apparitor et D. Fenichius, magnæ quidem in iis locis existimationis, sed ingenii ad hujusmodi facinora aptissimi. Is, accenso noctu, in loco editissimo, signo quodam ex iis, quæ in regni confiniis semper ad eum usum parata sunt, gentem numerosam cum armis, uti moris est, convocat; specie quidem latrocinii persequendi, * * * re autem verâ, ad Christi famulos hostiliter divexandos. Convenerunt ergo statim viri centum quadraginta. Hos Fenichius jubet se comitari, ad reginæ negotia perficienda. Ergo,

Then was Mr. Francis Ratcliffe, Esq., being a catholic himself, called into the chamber, and there continued two or three hours among them, and was examined in many things; yea, and reasoned withal, in many points of faith and religion, whereof, as yet, I could not certainly get the particulars: but he behaved himself in his answers very wisely and well; for he was one that had understanding, and bestowed some time in reading matters of controversy. But this also I was assured of by very credible persons, that, all the time he

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ante lucem, tres catholicorum familias clàm et à longè obsideri jubet, quæ duobus aut tribus millibus passuum inter se distabant. Eæ autem erant Dishingtona, domini Ogleii, Rutchestria, domini Thomæ Rudderfurthii, et Grangia, quæ dominæ Lawsonæ viduæ domus est. Ipse autem, summo diluculo, cum viris circiter centum, domum unam aggreditur, deinde alteram, postea tertiam; atque ita in illâ exploratione totum illum insumit diem. Postridie revertitur Rutchestriam: ibi statuit (quoniam domi suspicabatur esse virum et uxorem) tamdiù manere, donec, inediâ coacti, se ipsos traderent. Itaque omnia consumens ac destruens, tamdiù perstitit, donec, fame ac loci incommodo penè exanimata uxor, cum non posset latibulum intùs aperiri, gemitu atque ejulatu semetipsam prodidit. Comprehenso igitur utroque, iterùm ad Grangiam itur: ibi vidua illa, clibanum ingrediens, salva permansit; nisi quia ex nimio calore conclusi halitûs in morbum incidit, quem difficulter posteà evasit. Multæ aliæ factæ sunt explorationes apud Hebornam, Harberhousam, Tuiskam, Tonstallum, Sheldesiam, Haggerstonam, Capeltonam, Nebitham, Fentonam, Carhousam, et innumerabilibus in locis in episcopatu, Northumbriâ, comitatibus Eboracensi ac Richmondensi, in quibus multi comprehensi sunt, nonnulli summâ cum difficultate evaserunt. Atque hæ inquisitiones tam frequentes erant, tam generales ac publici earum rumores, ut multi coacti sunt domos suas deserere, in agris ac sylvis vitam agere, habitare in montibus, et speluncis, et in cavernis terræ, fabricatis sibi, ingente labore, in terrâ aut in rupe aliquâ, domiciliis, in quibus dies noctesque transegerunt, aliqui per mensem, alii per quinque aut sex hebdomodas, alii minore spatio, prout periculi ratio exigere videbatur. Vir quidam nobilis, cum gravidâ uxore, cui vix unus mensis deerat ad pariendum, cum Joanne quodam Nelsono, fidelissimo famulo ac nobis gratissimo, in loco subterraneo sex hebdomadas ita egerunt, ut nunquam exire, nisi post meridiem, securum ducerent; nam inquisitiones omnes vel manè fiunt vel noctu. Quare eâ in cavernâ duas separatas mansiones construxerant, ubi duos lectos paraverant, ut ibi pernoctarent. Nec deerat locus accommodus conviviis corporalibus ac spiritualibus quotidie apparandis: penu etiam erat ad cibos reponendos, qui quotidie clàm à domo, haud ita multùm distante, deferebantur. Erat autem spelunca sub ingenti quercu defossa, neque ullus patebat ingressus, nisi per bifidam radicem, quantus hominem intromittere poterat, qui levi cespite operiebatur; nunc autem pluviis ac nivium tabe madefacta tota corruit. Alii interdiù noctùque perpetuas egerunt excubias, divisis in singulos diei noctisque spatiis. Alii quinque hebdomadis in casis ex arborum ramis, inter medios juncos extructis, ac cespite coopertis, ita habitarunt, ut, ingruentibus noctu pluviis, et per siccatos cespites facilè penetrantibus, mediâ fere corporis parte interdùm aquis immersi fuerint. Alii inter antiquas parietinas sub terrâ commorantes, cum universâ familiâ, ubi distinctos lectos et loca varia habuerant, nec deerat longiuscula quædam deambulatio, socios acceperunt buffones,

was before them, the president forced him to sit upon his knees, a thing not used, neither of duty to be exacted, unless the prince's person were in place, or some of her prime council did there present the same; and the like was exacted upon those that appeared at Durham soon after, unless they were such, whom the president did vouchsafe some favour unto. Whereby you may see what mark he aimeth at, who, of his own head, taketh so much upon him. This gentleman being committed prisoner, for no other matter but only for refusing to go to their heretical church, the rest were commanded to attend at Durham, where they sat again in commission: at which place were committed, and used in like sort, Mr. Thomas Collingwood, a gentleman of Northumberland (who, notwithstanding, escaped from his gaoler, H. Sanderson, as he was to be conveyed to prison), Lancelot Hodson, with others being catholics.[1]

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ranas, aspides, lacertes, aliaque id genus animalia." Stonyhurst MSS. Ang. A. i. 73.

It is necessary to remark that Garnet's authority for this, and for some other statements contained in his report, was Holtby, the writer of the paper which I have printed in the text. Holtby, however, who had communicated the information to his superior, at one of their meetings at Anne Vaux's, afterwards discovered that he had been mistaken in two particulars, and immediately wrote to Garnet, to correct them. The following is from Garnet's own copy of that part of Holtby's letter, which refers to this matter:—

"*Out of Mr. Holtby's letters, the* 12 *of April*, 1593."

"At our last being together, I left a note in writing with you, wherein I would have you to correct two things; the one was, that Mrs. Killingale could not obtain, being great with child, so much favour as to be delivered out of prison, until she had laid her belly; the which, I perceive, did fall out otherwise before my return again: for she was sent home soon after, until she was delivered. But I was informed credibly that, before, it was denied her.

"The other was, that, whereas I said that Mrs. Rutherford was found in a conveyance, by means of one that heard her lament, it was otherwise: for her husband had escaped first out of their hands, and she alone went into the conveyance, where she remained so long, until, partly with famine, and partly with the uneasiness of the place, she was almost perished, having no means to get forth; for Fenwicke had put all the servants out of the house, and kept it with his company, wasting all with horse and man. Then, at the last, the gentleman, her husband, fearing the extremity of his wife, got one to adventure to deliver her; and (*who*), finding a time, opened the place. But, before he could get her out, came in Fenwicke, and took her, being half gone, and now grown so stiff that she could not move herself: so they laid her upon a bed, to recover her. In the meantime, came in also the gentleman himself, to save his wife, and so was also apprehended." Garnet's MS. in my possession.—*T.*]

[1] [Besides these, Garnet, in his report, gives the names of Ward, Hilton, Blenkinsopp, and their wives, William Blackstone, John Trollope, with his two sons,

Also divers other gentlemen, yet conformable (as they term them), were called in for their catholic wives: these also were commanded to sit upon their knees; and being demanded if they had their process or writs about them, served on them for their appearance, and shewing the same, the president took them and would not suffer them to have them again. What the mystery of it was I wot not; but it seemed there was something in it not justifiable by law. In the end, these gentlemen were constrained to enter into bond of recognizance, for the bringing in of their wives, or else to go to prison themselves. The conditions of which bonds were these, in form as followeth:

"The condition of this recognisance is such that, if the above bounden R. F. do, from henceforth, provide and procure that, morning and evening prayers, as is appointed and set down in the book of common prayer, be publicly read in his house, three days in every week, at the least, viz., Tuesday, Thursday, and Saturday, at the which himself, his children, his household, and servants (except his wife), to be present, having no lawful excuse of their absence (for the which he shall answer); and do not retain and keep in his house any other person, which shall not dutifully and usually resort to the church to hear divine service, and reverently receive the holy communion, so often yearly, as is appointed in the said book of common prayer; and do not admit or suffer any jesuit, se-

John Sax, Thomas Bapthorpe, and the two Haggerstones, father and son, who were all committed on this occasion. He tells us further, that, to receive the immense number of persons continually ordered into custody, six additional prisons were opened during the early part of the year 1592,—two at York, one at Sheriff Hutton, one in Knaresborough castle, one in the college of Rotherham, and one in Bransby-castle (Stonyhurst MSS. Ang. A. i. 73). This was within the presidency of the north. In August of the same year, Verstegan speaks of "the late proceedings of the new commissioners against catholic recusants, in Cheshire, Shropshire, Staffordshire, and North Wales, where the number of recusants are found so great, as also in other provinces of England, that the commissioners do not know what course to take, to extinguish them. In one parish in Warwickshire, there were found seven score recusants; but, in the provinces aforenamed, great numbers have been by the commissioners constrained by force to go to hear sermons; whereat was heard such weeping, lamentation, and sighs, as was most wonderful." Letter to Baines, cardinal Allen's secretary. Stonyhurst MSS. Ang. A. i. 67.—*T.*]

minary, or popish priest, nor any person that shall be known to him to be disobedient in matter of religion now established within this realm, to remain or usually to repair in or to his said house, other than the now wife of the said R. F.: And further, if A., the now wife of the said R., shall be and personally appear before three of her majesty's commissioners for causes ecclesiastical, within the province of York, whereof the most reverend father, the lord archbishop of York his grace, the right honourable the lord president of her highness' council in the north, and lord lieutenant, and the lord bishop of Durham, and the right worshipful Mr. dean of Durham, to be one, at such day, hour, and place, as, upon fourteen days' warning, to be given at the now dwelling house of the said R., shall be appointed and declared: And lastly, if neither the said A., nor any of his said household or family, shall have any conference with any such jesuit, seminary priest, papist, or other notorious disobedient person in matters of religion, then this recognizance to be void, or else to stand in full power and virtue. Capt. et recog., apud Dunelm., 26. August, an. Dom. 1592, coram, &c."[1]

If any did refuse to accept of these conditions, he was presently committed to prison. Amongst the rest, there was one who had been afore, by the like injury, forced to bring in his wife; and she having continued thereby in divers prisons, restrained of liberty four or five years, to the great damage of her husband, he made suit, in the end, unto the council above, and obtained her liberty, upon bond to appear before the privy-council, upon certain days' warning; which recognizance notwithstanding, the president commanded him to bring her in again before him, and he, refusing to do it, because he was otherways bound to the council, was himself committed to prison by the president, and there remained nine weeks. In the meantime, he laboured unto the council again, and his bill was preferred at the council table; whereupon, after the cause being ex-

[1] [The names of several, who entered into this engagement, are given later. —*T.*]

amined and discussed, the council directed out letters unto the bishop, in the man's behalf, in form following:

"After our hearty commendations to your lordship; humble suit hath been moved unto us, by T. N., &c., that, whereas, eight or nine years since, E., the wife of this suppliant, being with divers other women committed, for recusancy, in the gaols of Sadberge and York, was, by virtue of letters directed from us to our very good lord, the earl of Huntingdon, set at liberty, upon good bonds, entered into by the said suppliant, for the appearance and forthcoming of his said wife, within twenty days' warning next after, before us; which was done at the special suit of the husbands of the said women, who, notwithstanding their wives' obstinacy, are very conformable themselves in religion, and live, like good subjects, in due obedience towards her majesty, and her laws, and therefore had their wives delivered to their charge, in hope of some conformity, by their good persuasion to be wrought in them: Forasmuch as we are credibly given to understand that, notwithstanding the bonds so taken, as abovesaid, for their forthcoming before us, the said T. N. is of late imprisoned in that gaol of Durham, for not bringing in his said wife before you, and the rest of the commissioners ecclesiastical of that diocese, fearing lest she should be imprisoned, to his utter undoing, as heretofore she had been, for the space of four or five years; We have, therefore, thought good to pray and require your lordship to let the said N. at liberty, upon good bonds to be taken of the suppliant for his wife's good behaviour, as is accustomed in like cases, and for her forthcoming before us, within twenty days next after warning given him, or within some convenient time to be set down by you in that behalf. So praying your lordship to have care for the performance hereof, we bid you very heartily farewell. From the court at Greenwich, the 24 of May, 1591. Your very loving friends, L. Arch: Cant. L. Chancellor. L. Treasurer. L. Darby. L. Cobham. L. Buckhurst."

Upon which letters the bishop set him at liberty, taking bond of him, as was appointed by the council's

letters. But now, these letters notwithstanding, which had been of sufficient virtue, in a matter of greater weight, to have kept the man from further injury, the president committed him again for the same, that is to say, for not bringing in his wife to appear before him; and [he] remained in Durham gaol for the space of a year after, to his exceeding great loss of his goods at home, by default of his care and presence. Whereby it may appear what small regard of conscience, law, or reason is used by those who bear the name of head commissioners, especially by the president himself, who, neither observing the rules of his commission, nor yet the letters and directions of the privy-council, from whom all his authority granted him doth proceed, calleth, committeth, and punisheth by imprisonment, without colour of justice, as oft, how long, and whom he listeth; laying most impious and unreasonable bonds, prohibitions, conditions, and penalties upon the husbands, yea, upon the children, and whole families, to the utter overthrow of their souls, not for the wives' fault, but for their sincere faith, constancy, and religious profession.

As for the inferior officers, and other men, used as necessary instruments to procure and maintain this persecution against us, they are principally employed to espy, betray, search, apprehend, spoil, and otherways to molest and injure us, in all matters, and by all means they can devise, without controlment, and as far as God's judgment or mercy hath preordinate to permit them, for our better purgation and trial, and greater glories of his divine majesty, with our increase of grace and glory. One notable example I intend here to set down, for a scantling, to weigh and measure thereby their malice and manner of behaviour towards us, in the rest of their practices, by a search made before christmas last, at York, in the castle, where the [1593] catholics are kept in durance, for the defence and profession of their faith. The president had been informed, by the means of a false brother, and others his intelligencers, that there was a seminary priest kept among

the catholic prisoners secretly, whose name, visage, and personage they made particular description of. Wherefore, the president ordained a search, which begun upon Tuesday morning, about seven or eight o'clock, being the 18th day of December, 1593, and continued until eight o'clock at night, upon Thursday following. The manner of their proceeding was signified unto me by several letters out of the castle, in these words following:

"Whereas many of our friends, we doubt not, are not only sorrowful for our losses and spoil, happened unto us by the lord president's appointment, but also desirous to know the manner and cause how it chanced unto us, these may be, therefore, to signify unto all our benefactors and well-wishers, that, upon Tuesday, the 18th of December, Mr. Rokeby, one of her majesty's council at York, came into the castle, where we are imprisoned, with a great company of men; whereupon, we grew in some suspicion of a search; and, looking out at our windows, suddenly we see the castle beset round about with bills and halberds. But they used, at the first, some subtlety; for they went first into the Moot-hall, which is an ordinary thing, and sent to the castle for one Mayfield, being a man condemned for felony, as though the intent of their coming had appertained nothing at all unto us; and then, of a sudden, came forth of the hall, and sent for us. By and by, our keepers called us all down in great haste, into the castle yard, where Mr. Rokeby staid, expecting our coming; who said that the lord president and his council were informed that a seminary priest was amongst us, who said mass the same morning in our house. His name was John Fisher, and this they were assured of; for some of our own company had betrayed him: and, except he be found, they would not depart, but would pull down the house upon our heads. Wherefore, searchers, being appointed to rifle our chambers and poor lodgings, fell to their work, and so continued, until seven o'clock at night; and from us they went into Mr. Fletcher's house, the keeper of the castle, who

lying sick in his bed, they gave him no sparing, but searched it, yea, and the very bed wherein he did lie: and what other discourtesies they offered him the writer hereof knoweth not, but he died within a few hours after, the same night. They found, in searching, the passage of the party (as they said) whom they sought for; lighting, indeed, upon an entrance, sufficient for a man to pass towards the water; and thereupon began very hotly to rifle and break all below, in the kitchen, parlour, and other places thereabouts, supposing him to be near the outgate. They brake the ceiling over where it was, and in the new chamber above, and threatened, the next day, to pull down the new building, and the little chamber which staid thereon. But they found not much the first day: but, having set their watch, one to walk up and down within the house, and many abroad without, that none should convey the priest away, the next morning, coming again, they brought with them workmen with all their tools and implements, to try, by sounding, for hollow places, and to break up all: 'for the traitor seminary,' quoth they, 'you have among you, without whom we will not depart. Therefore, bring him out to us, or else we will pull down the house upon your heads.' With such like speeches [they] menaced us, all the three days, and, in all the time of searching, they shut us up, men, women, and children, in a little house, where one of us could scarce stand besides another. Remedy could we have none: although the young children cried, and the mothers lamented their babes, small pity was shewed.

"This day, they carried eight of our company to the manor, where they expected the lord president, until seven o'clock at night; at which time, Mansfield, one of the hottest searchers, coming out of the president's chamber, with a writing in his hand, carried them to Mr. Rokeby's house, to be examined; where four only being examined severally, they were sent all to three several prisons, until the search was ended,—one of them being sent unto a place by himself, with commandment that he should be well used, who was sus-

pected by the company to have been the author and betrayer of all. Also they took away a little girl, and threatened to beat her (being ten years old), except she would confess where John Fisher, the seminary, was to be found; and, keeping her, they gave it out that the child had told all, and that now they could go, and lay their hand upon his head, where he sat. But all was false. In the meantime, the searchers wrought diligently, knocking and sounding every wall and floor under their feet. They broke and beat down, without scruple, walls, ceilings, floors, hearths of chimnies, boards, yea, they untiled the house; and, breaking down all within the chambers, they also tossed and trod under their feet our clothes and bedding, the lime, plaster, dust, and dirt falling upon it, and made their common way over all, without sparing. They found great store of books and church stuff also, as chalice and cruets of silver, crosses of silver and gilt, with relics, pictures, antependiums, borders, and all other furniture belonging unto the altar, which had been sent and bestowed upon us by former prisoners and good benefactors. And now, alas! they have harried us of all: yea, many of us have not left so much as a prayer-book, or piece or part of one; for all was fish that came to their net. Books, lawful by their own laws, they violently took away: yea, the very money, which the poor men had to live upon, they snatched away most greedily. After these gentlemen searchers, there followed hungry rascals, who licked up their leavings, sparing neither silver spoons, nor other like jewels, neither linen nor woollen, as stockings of hose, remnants of cloth, kerchiefs, coifs, patlets, shirtbands, napkins, gloves, garters, combs, knives, or anything else that could be handsomely carried away:—and the worst is, we have Judas amongst us, and cannot find means to exclude him out of our company.

"The next day, being St. Thomas's eve, they came again in like manner, with their workmen, yet to pull more down. And now they put no doubts but to have him; and amongst us he was (they said), 'for,' quoth

they, 'on Tuesday, when we began, it is confessed by some of your fellows, that he said mass amongst you; and ever since hath there not only been a continual watch without, but also within, amongst you, every night have we had one to foresee that you should not steal him away from us.' So they knocked down and rifled again and again, until dinner time, and, after dinner, until eight o'clock at night, in such sort as they did, the days before; and that was thus:—The rooms being little, they divided themselves into many companies, and that which the first company had searched, the next that came after did the like, and so did the third, fourth, and fifth, and, last of all, the gleaners, as sweepstakes, who raked up without scruple all that whereof the other made some conscience. A great spite they had about chimnies, and kept much ado about them: and, climbing up to the tops of them, cast down stones, to see whether there were any false tones. They termed one chamber 'the priest's chamber,' and battered it foully, as they did the rest also. If they chanced to find any conveyance (as they did many), wherein any thing was found, then he that found it would shout and cry to them in the gutter of the house above, and they then would do the like to them beneath in the yard. They used the barbarousest speeches, that could be uttered, against priests and catholics: they swore also the watchmen, but especially those that belonged unto the keeper, whether they had not consented to the conveying forth of the priest. This was the course they continued, three whole days together; and what shall happen unto us yet hereafter we know not, but only commend ourselves to God, whose cause it is we have in hand, and in whose holy help we have also all our trust and confidence, and that he grant us perseverance and constancy, without the which neither getteth the champion his conquest, nor the conqueror his crown: for, take away perseverance, and no service hath any pay, nor good turn any thanks."

These were the very words of their letters for the most part. The cruelty of this search was such, that,

by the estimation of some, the damages of the prison itself, besides all the prey carried away, could hardly be repaired without forty pounds charges.

The president, therefore, having missed his purpose, was much disquieted in mind, and all melancholy, and, not finding which way better to satisfy his fury (although he offered money to those that could betray the man he sought for), determined with himself to disperse the prisoners of the castle into other places, where they should be kept under a more strait custody, lest they should, at any time, through the negligence of their keepers, obtain or devise the means to receive comfort, by access of their pastors, as he suspected they had done before. Wherefore, not long after, he sent seventeen of the principal unto Hull, whereof nine were committed unto Henry Hubbart, the keeper of the north Blockhouse, and the rest to Beesely, keeper of the Castle, which two prisons were wont to be the worst places, for extremity shewed, in all this north country.

1594 Upon Easter Tuesday following, he caused another search to be made, at a gentlewoman's house in Nidderdale, called Mrs. Ardington; for it had been certified him by his espials, that Mr. David Ingleby (the gentlewoman's brother, and one whom the president loveth not, being a catholic) and the lady Anne Nevill were there. Wherefore [he] sent with all speed a company of bad companions of his own household, for more trust and assurance, amongst whom, by name, were Pollard, gaoler of Sheriffhutton, Outlaw, the president's pursuivant, and a gaoler also, with one Eglesfield, a traitor, of whom you shall hear more afterwards. In their way, they forced a poor man out of his house, to be their guide; and, coming near the house, they drew their swords, bent their pistols, and buckled themselves for battle, as though they would have made an assault to the gentlewoman's house: but perceiving, by one of the house, that there was no fear of fighting, the greatest resistance consisting only in a company of women, they put up their weapons, entered in, the door being open, searched, rifled, turned and tossed all things upside down, but found nothing greatly for their pur-

pose. Yet, fearing to be disappointed of their journey, they determined not to depart with speed, but seated themselves in the house, and, as though all were their own, made provision for themselves, at the gentlewoman's cost, until Thursday or Friday following: during which time they kept the house, they found in the house certain apparel of some gentleman, as doublets, hose, silk and Guernsey stockings. Upon them they seized by the president's warrant, whose beggary is such, that he is not otherways wont to reward his trusty servants, than with the spoils of such as he persecuteth. Yet the pursuivant returned home all in a chafe, that he sped no better; and his wife also not well appaied that his budget came so light home; for she was accustomed always to give the first welcome unto his capcase, at his return home, which seldom or never before came so empty.[1]

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One Leonard Atkinson had a commission granted

1 [It is to this period, that the following passage of a letter from Garnet, addressed, I believe, to Persons, in September, 1594, refers.—"The Friday night before Passion Sunday, was such a hurley-burley in London, as never was seen in man's memory; no, not when Wyat was at the gates: a general search in all London, the justices and chief citizens going in person: all unknown persons taken and put in churches, till the next day: no catholics found, but one poor tailor's house, at Golden Lane End, which was esteemed such a booty, as never was yet, since this queen's days. The tailor and divers others there taken lie yet in prison; and some of them have been tortured. That mischance touched us near: they were our friends and chiefest instruments. * * * * That very night had been there Long John-With-the-Little-Beard (John Gerard), once your pupil, if I had not more importunately stayed him than ever before: but, soon after, he was apprehended, being betrayed we know not how. He will be stout, I doubt not. He hath been very close, but now is removed from the Counter to the Clink, where he may, in time, do much good. * * * * Edward, John's companion, was once taken in a garden, in the country; but he shewed himself nimble, leaped into the house, shut the door, and escaped away. Two months ago, were taken eleven youths, going from Chester towards Spain:—all in Bridewell, hardly used. A fortnight since, two boats were gone down with eight passengers, two of the which were women, and five boys; but, lying over along beneath Gravesend, and the women crying out for fear of tempest, they were descried and taken, all except one old man, and a little wry-necked boy, a charge of mine, of whom I wrote, and had your consent to send him.

"Before that tumult of Golden Lane, about the latter end of February, they had laid a plot of these great stirs, and prepared the people's minds by a proclamation, wherein they commanded strait watches to be made, certain days in a week, every where, for priests and Irishmen, whose late attempts to kill the queen had been discovered; and all Irishmen, not inhabitants in towns, and

him, and authority to summon, search, and apprehend, or vex the catholics in Richmondshire; the which of his own head, without further warrant, he enlarged in such sort, that, for his greater gain, he took upon him, under the colour thereof, not only, for money, to discharge and grant liberty unto those whom he apprehended, but also, for bribes, to seem to protect others from trouble, whom he threatened to vex, unless they would condescend unto him: although he could not protect any indeed; but only sought, by deceiving them by vain proffers, to fill his purse. Whereunto it served his turn sufficiently, that none durst be so bold as to contradict him, for fear to be apprehended, by virtue of his commission. Which course he used so long, until the matter being over evident, and complaint being made to the president, for shame he recalled his commission. This fellow behaved himself so diligently, in the time of his office, that, by his own report, he watched nightly, to espy occasions to get his prey upon some seminary; yea, sometimes a great number

citizens, banished England; and all persons, not belonging to some noblemen or courtier, banished the court, and commanded, for whatsoever suit, to repair to certain officers, in places appointed near the court, and with their license to enter the court; all passengers to be stayed, who were not known, or had not testimony to appertain to some nobleman. This proclamation I had sent you, in my letter which was burnt: now it is not to be found, neither hath it been straitly executed, and now almost forgotten.

"Since Easter, a commission was granted to about twenty persons, who are in London and ten miles about, to search and enquire for coiners, priests, and lurking papists, and to use towards them all forcible means for the disclosing of their dangerous practices: and this busieth them all the day long. The statutes of the last parliament are rigorously executed, save that many servants are still retained, because warning is not given every where to their masters, according to the statute." Orig. Stonyhurst MSS. Ang. A. i. 81.

The statute here alluded to (35 Eliz. c. 1.) had been lately passed, and, though directed more immediately against the puritans, was, in some points, equally effective against the catholics. It provided that any person, having attained the age of sixteen years, who, for the space of one month, should refuse to attend the service of the church, and should be present at any other religious meeting or assembly, should, on conviction, be imprisoned: it ordered all offenders, not catholics or married women, who should still continue obstinate for the further period of three months, to be punished by confiscation and banishment; and it forbad all heads of families, after due notice from the ordinary, or from some other appointed officer, to relieve, maintain, or keep in their houses any one who should presume to violate its provisions. To enforce it, the council immediately addressed letters to the archbishops and bishops, enjoining them to make enquiry in their respective dioceses, and forthwith to return a list of all offenders. See Appendix, No. XXXVIII.—*T.*]

of nights together: insomuch that, for a long time, there was one gentlewoman's house of good worship nigh unto him so straitly looked unto, that no stranger could come unto her, neither day nor any time upon the night, so secretly, but he should be espied, and in danger to be apprehended by a search. One time, he waited his opportunity so vigilantly, that he took a good company of catholics together assembled, with an old priest in their company: but the old man not being of such danger and account that the president, as he supposed, would greatly rejoice at his apprehension, or that he expected, by that present, to be rewarded greatly of his lord and master, he took a more commodious way to reward himself, by picking twenty pounds out of the poor old man's purse, for his escape at that time, in hope, at some fitter opportunity, to gratify the president with a more desired prey.[1]

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[1] [The plunder of their prisoners, particularly if those prisoners were priests, seems to have been almost a recognised privilege of the pursuivants. "When either catholic or priest is apprehended," says the writer of the letter to Verstegan, already cited, "they straight lay hold on all he hath, and think it their own, unless they be of great calling, that they dare not offer such usage. From priests they take all, purse, horse, apparel, books, and whatsoever else they find of his."

Of the barbarities practised on the clergy, during their confinement, the same writer has left us an appalling account. "The manner of imprisonment of priests," says he, "is, that first they are kept in Topcliffe's house, or some other catchpole's. Topcliffe ever useth to torture them by his private authority, before they part out of his doors, and keepeth their taking so secret, that sometimes it is long ere it be known where the party apprehended is, lest the rumour of his torturing should be spread abroad. From Topcliffe's house he is carried to Bridewell. There he is hanged up by the hands, in manacles, and examined upon all hateful and odious points, and used with such extremity, that his death is far less misery than his bloody usage in this place. If they find him constant, he is carried to some other prison, and there kept close prisoner, with as hard usage as may be.

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"They torture those that be taken with manacles, in which some hang nine hours together; all their body being borne upon their hands, so that oftentimes they swoon upon the torture, and are hardly recovered, and yet oftentimes hanged up again. Thus Mr. Bales, Mr. Jones, Mr. Norton, Mr. Randal, and almost all the priests that have been taken, any time these five years.

"They whip priests naked, as they did Mr. Beseley and Mr. Jones, in such cruel sort, that the persecutors themselves said that they had charms, to endure so patiently such tortures.

"Topcliffe useth to keep them from sleep, by watching them till they are almost past their senses, and half beside themselves; and then beginneth to examine them afresh, in that impotent mode.

Within twenty days after the great search, made at Candlemas, in the year 1593,[1] there was another
1593 commission, directed to search and take away from all catholic men's houses all armour, and other furniture and munition for war: the which commission, although expressly it concerned nothing else, but only to enquire for armour, yet, either by the presumption and interpretation of the searchers, or by some other secret instructions or warrant given them underhand, they took upon them, in many places, to search both for men and other things also; rifling and turning all, and examining servants, in houses where they came, to that effect. So was old Mr. John Trollope, a catholic, taken, and forced to appear before the next commission; and others escaped very narrowly; yea, many were put in

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"Some, as, namely, Mr. Jones, was tormented in Topcliffe's house * * * [*decency compels me to omit this part of the passage*]; so filthy and shameless is their cruelty. For threats and terrors it is needless to report them, as also their barbarous lies and slanders, that they give out of priests, after their apprehensions; seeking to make them all infamous with catholics themselves, until their deaths and arraignments prove these reporters liars.

"If they confess not enough in their tortures, to make their arraignment the more odious, then they work, while they are in prison, by suborned spies, that shall pretend friendship, and seem to pity their case, and offer their help to carry letters, messages, or fetch money if they have it in keeping of any catholic, and other such devices, of purpose to entrap them, to know to whom they resorted, and what they have, that these may be troubled, and the more matter made against themselves, or some booty gotten by these ravening fellows." Letter to Verstegan, ut sup.

Verstegan himself, also, in a letter addressed to Persons, in August, 1592, says,—"Because the often exercise of the rack in the tower was so odious, and so much spoken of, of the people, Topcliffe hath authority to torment priests in his own house, in such sort as he shall think good; whose inhuman cruelty is so great, as he will not spare to extend any torture whatsoever." Original in my possession.—*T.*]

[1] [This search is thus mentioned by Holtby, in another letter. "This year, being the year of our Lord 1593, upon the first of February, at night, until the next day at 9 o'clock, being Candlemas-day, there was a general search made for catholics, all over Yorkshire, Richmondshire, Cleveland, the Bishopric of Durham, and Northumberland, wherein all the justices of peace and others of authority, with such as favoured the heretics' cause, together with the ministers themselves, did flock together, entering the houses of the catholics, and all such as were suspected to favour their cause, in great numbers, that it is hard to say how many were abroad that night, in searching: for there came to some houses above a hundred, or seven score persons, to search. * * * They got beads and books in divers places, and many forced to forsake their houses, to escape the danger" (Stonyhurst MSS. Ang. A. i. 74). It was in this search that Anthony Page, who was executed, in the following April, for his sacerdotal character, was taken. Ibid.—*T.*]

danger, because the search came, at that time, unexpected.[1]

[1] [Garnet, in his report already cited, has described one of the searches made at the residence of Trollope. On the arrival of the pursuivants, that gentleman, his wife, a son, a grand-daughter, and two maid-servants, hastily concealed themselves, leaving the property to the care of a trusty female domestic. Disappointed in their immediate object of seizing the family, the first care of the officers was to plunder the house: the next, to discover the retreat of the individuals, whose good fortune had enabled them to elude their pursuit. For two whole days, during which the party in concealment remained without food, the pursuivants continued the search. They compared the exterior dimensions of the building with the interior; they sounded the walls and the floors; they listened to every noise; they endeavoured, by every artifice, to surprise the fugitives into a betrayal of their hiding-place; nor was it until baffled at every point, and already in possession of plate, linen, clothes, and almost every valuable and every portable article on the premises, that, at the close of the second day, they reluctantly abandoned the enterprise. I subjoin Garnet's words:—

"Ex comitatu Eboracensi in Episcopatum accivit (præsidens) qui ex improviso adorirentur domini Joannis Trolloppi domum; qui protenùs se, uxorem, filium, neptem annos natam tresdecim, et ancillas duas in latibulum abdit: ancillam verò unam catholicam relinquit, quæ domum servet atque ad interrogata respondeat; nam alii famuli partim aberant, partim rem rusticam curabant, neque sciebant omninò domi esse dominum cum familiâ suâ; utpote qui secretò, ut catholicorum mos est, domi se continerent. Itaque [cum] iterum atque iterum ac sæpiùs domum perquisiissent, nec homines invenire potuissent, ad argentum exquirendum se conferunt. Effringunt fores, evellunt seras, parietes diruunt, atque, ut ex officio agere videantur, oblatas locorum et capsarum claves respuunt, vi omnia aperiunt. Ergo tres argenteos scyphos cum operculo, quindecim librarum, hoc est, sexaginta scutorum pretio, auferunt; cochlearia argentea sexdecim, vestes, lintea omnia, ocreas, ephippia, scloppeta, cultellos, pugiones, forfices, quicquid denique ullius pretii fuerat, secum auferunt; nec cibis pepercerunt, neque frumento, neque equorum pabulo, quantum aut comedere aut profusè consumere toto biduo possent. Ac toto hoc tempore, nempe à vespere diei Lunæ in sanctâ hebdomadâ, usque ad vesperam diei Mercurii, qui absconditi fuerant, sine ullo cibo aut potu perstiterunt. Attulerunt secum exploratores isti sagacissimi campanulam, cujus è varietate sonorum discernere possent locorum concavitates. Domum etiam dimensi sunt intùs et extrà, ut inde dijudicarent quæ pars interior exteriori minimè congrueret. Per varia domûs loca se distribuebant, ut altissimo silentio captabant *(captarent)* suspiria, excreatus, anhelitus, motus omnes eorum quos intùs putabant esse; cum derepentè ecce unus aut alter exclamat, "Adeste, o socii, jam tenemus homines;" ut, hoc subito tumultu perterriti catholici, vel levissimo strepitu semetipsos indicarent:—et mirandum certè est quomodo tanto tempore se continere potuerint, præsertim cum nonnullis soleret esse molesta pituita. Aberat tum fortè, cum altero filio, noster ille, qui ad infantis baptismum pridie exierant quàm hæc acciderunt; et postridie revertentes comprehensi fuissent, nisi obversis tergis exploratores in horto conspexissent: quare in fugam conversi, duas noctes in sylvâ transegerunt, unam sub arbore, alteram in excavatâ rupe. Ancilla autem, quæ domi relicta fuerat, videns se ad carcerem ducendam esse, fugâ sibi consuluit."—Stonyhurst MSS. Ang. A. i. 73.

How exactly does Gerard's account of one of these searches agree with the above!—"What a thing," says he, "is it for a catholic gentleman to have his house suddenly beset on all sides with a number of men in arms, both horse and foot; and not only his house, and gardens, and such enclosed places, all beset, but all highways laid, for some miles near unto him, that none shall pass, but

The president, and the false bishops of York and Durham, have certain officers, who, I think, indeed, to

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they shall be examined! Then are these searchers oft-times so rude and barbarous, that, if the doors be not opened, in the instant they would enter, they break open the doors with all violence, as if they were to sack a town of enemies, won by the sword. * * * The searchers being thus entered, it hath been usual for pursuivants to run up the stairs, and into the chambers, with their drawn swords; enough to drive the weaker sort of women and children out of their wits. Then they begin to break off locks, and open all the doors of the house presently, that they may, at one time, search in many places. Then, if they find no priest, nor suspected persons for priests, in any of the chambers or closets, they go presently to search for secret places; and this they do most cunningly and strictly, sounding the floors and walls, to see if they can find any hollow places. They do also measure the walls of the house, and go round about the house, on the outside, to see if one part do answer to another, in hope to find some void part left hollow, wherein a man may be hid. Sometimes, if the walls be not made of stone, but of wainscot or other weak matter, they will thrust through it with their swords in many places, hoping that, in some place or other, they may light upon a priest: and this they do also in the roofs of the house, upon supposition there may be some conveyance, though they cannot find the entry into it,—as, indeed, the doors of the secret places are commonly made with such art, as it is hard to find them, or espy them: otherwise, it were not possible to keep priests so long as some catholics do, and have done. But the searchers, if they find any likely cause of suspicion, not contented with that dangerous manner of trial with their swords (in which cases some priests have escaped very hardly of being wounded or slain), they then break down the walls wholly, and enter themselves, to search, with candles and torches, in all such dark places, and in house-tops, where sometimes nothing but mice or birds have come of many years. * * * When the searchers find not any priest, for all this cruel diligence they have used, they will not yet give over; but, supposing there is, or may be, some so secretly hidden that yet he is there, for all that they have done, then they appoint a watch about the house, and every part thereof, of fifty and sixty men, and sometimes more, and these with guns and bills, &c.; and this they keep for many days together (intending to starve him out), sometimes for six, yea, ten and twelve days' continuance. Sometimes also they place watchmen in the chambers of the house within, both to keep that no catholic shall stir, to relieve the priest (though commonly they make them sure for that, by locking them up, all in one part of the house together, which they mean least to search, as being least suspected), and besides, that they may hearken if any little stirring be behind a wall, yea, to the breathing or coughing of a priest (which was the means, indeed, by which father Cornelius was found out and apprehended): to which end also, they do sometimes cunningly speak aloud, one to another, that they will be gone away, because they can find nothing; and seem to make a noise, as though they did depart: then will go softly into the chambers, a little after, and seem to be of the house, and knock softly at every wall, willing 'the good man' to come forth, for "now the searchers are gone, thanks be to God." * * * But, when they can find no priest (whom they chiefly desire to take in any man's house, because then his lands and goods and life also are all forfeited;—but if that will not be), then they rifle every little corner for church stuff, for copes and vestments, chalices, pixes, and such. For these they break open chests and trunks: then to cabinets and little boxes, for letters; hoping to find some spiritual advice in them, to infer that they are priests' letters, with whom they have acquaintance: or if they find any Agnus Dei's, then also all the lands and goods of the parties are seized, and themselves condemned to perpetual prison, which was the case with Mr. Tregian." Gerard's MS. ut sup.—*T.*]

be no other than somners, yet called commonly, for their greater credit, authority, and terror of the people, by the name of pursuivants; and, for their greater gain, claiming and exacting greater fees than common somners do. These men have, in their beadrolls, all the names of catholics within their circuits, and are employed continually in citing or summoning, sometimes by special writs, and sometimes without writs, all catholics to appear and present themselves to the commissioners, sitting upon such matters, at times appointed. These men cannot be contented, according unto their offices, to summon, or serve their writs and process to appear; but they take upon them usually, yea, now seldom otherways, like unto justices or other higher officers, to force men either to enter into bonds, of a kind of recognisance to appear, or cause them to lay in some others bound, or as sureties for their appearance: otherways, as though they were true pursuivants indeed, or men of greater authority, they will attach and carry away such as refuse to be bound, or commit them unto the constables or other officers, to bring them in. And albeit they neither have any such authority, nor any law doth constrain men to yield unto them, yet the constables dare not disobey them, they being charged with them as not the queen's friends; nor the catholics dare resist them, lest, the catchpoles informing against them, they breed them more trouble; and cause them to be punished, as contemners of the authority they had not.

The president, and others of the commission have taken a course, now divers years past, which I touched before, for a more easy way to persecute those catholic wives, whose husbands are men conformable to their laws, contrary to the law of God and nature, to make the husbands tyrants to their own flesh and bones, and [compel them], for saving the catchpoles some labour, to bring in their own wives, present them to the magistrates, vex them by threats, persuasions, and otherwise, both in prison and at liberty, to procure thereby their fall. Of this number there were and are a great

sort of gentlemen, of the best wealth and worship, that delivered their wives to the will of the tyrant; as Sir Henry Constable, Philip Constable, Thomas Metham, Ralph Babthorpe, Henry Cholmondeley, William Ingleby, esquires, and knights' sons all; Mr. Ralph Lawson, Marmaduke Cholmondeley, Thomas Barton, Lister, Palmes, Holtby, Hungate, Vaux, Salvin, in Yorkshire; and, in the bishopric of Durham, Henry Lawson, Henry Killingale, Francis Trollope, George Middleton, Charles Hedworth, Fulthrop, Whitfield, Welbery, and divers other gentlemen, both in Yorkshire and the bishopric of Durham, as also others of meaner calling.[1] These gentlemen, finding great inconvenience both in the government of their families, and education of their children, together with no little discomfort and greater damages, by the want and absence of their most godly, loving, obedient, and careful wives, laboured very earnestly, by continual suit unto the president, and other commissioners, to obtain their wives' liberty; but the cruel president being inexorable, nothing could be gotten, without great friends made, large cost, and impious conditions. In the meantime, the wives were kept so strait and close in prison, that no access of friends, unless they were such as sought to vex and pervert their constancy, could be permitted them: yea, their own husbands were so barred from them, that, unless with much labour obtaining a warrant from the president, and that not without charges also, as oft as they did so visit them, they were constrained to buy now and then a short lodging with their best beloved in prison. Neither would they permit the catholic women in prison to have free access or recourse one to another; but shut them up apart, into several lodgings, lest one should take comfort or encourage the other to constancy. Yea, they sent ministers to bait them with heretical arguments, that so, the body oppressed with

[1] [Of these, Hungate, Henry Lawson, and others refused, in the first instance, to deliver up their wives, and were, in consequence, imprisoned. When Garnet, however, wrote his report, in March, 1593, these had all submitted, and Nicholas Headly alone remained in custody.—Stonyhurst MSS. Ang. A. i. 73.—*T.*]

extremities of imprisonment, and the minds continually battered with the pestilent and importunate cries of most impious seducers, and all passage stopped from them of their loving and faithful friends' succours, they should be constrained, in the end, to yield up the fortress of their faith, and be content, at the least, to accept of unequal conditions, if not to become altogether captive, and slaves to heresy. Some of their worldly husbands, either impatient of their expenses (which were great; for the president committed many of them as prisoners, into the custody of his trusty servants, as Sanderson, Pollard, and others, to make their gain of them), or being men of some worship and stomach, loath to seek friendship by some base companion's means unto the president (for such bear the only sway with him, as agreeing best with his humour), or disdaining to labour for his friendship by whom they were so oft and easily rejected (for he made them wait and give attendance from time to time, scarce affording them, at any time, but with difficulty, either speech or countenance), or, finally, expecting no favour in their behalf, their requests being so oft denied or deferred, began to be so unkind in the end unto their loving spouses, that their marital affection was turned into hatred. Others complained [of] their families' misery at home, and accused the hard hearts of their wives, who, for the love of God's honour and safety of their souls, would put their husbands to such loss and extremity: others exclaimed against catholic priests, who, seeing both wives and husbands in misery, the one by disgrace in the world, the other by restraint of liberty, would not dispense with the one, to commit now and then a sin, that both might live in earthly prosperity: others would neither vouchsafe to visit their wives, nor yet to make them any allowance in prison; and the rest, remaining discontented, to their great hinderance temporal, as they were able, discharged their expenses, especially for those at Sheriff Hutton with Pollard, who, besides the charge of their diet (which they made of their own provision), and other extraordinaries (the

gaoler also claiming weekly, besides his table amongst them, ten shillings of every one for his attendance, as he called it), were most costly to their husbands, and commodious to many their persecutors. The gentlemen in Yorkshire[1] ceased not to make means for their wives' enlargement, not only by entreaty at the president's hands themselves, but also procuring divers letters from great lords and ladies above unto him; yea, several letters and warrants from some of the privy-council, whereunto sometime six of their hands were subscribed at once for their delivery. But the president, taking it in evil part that the gentlemen should go about to get their wives' liberty, by any others' means than his own, who had committed them, was the further off from shewing them favour: but, feeding them up with fair words, pretended causes of delay, informing the privy-council, meanwhile, how unmete it was they should go home, being aiders, relievers, maintainers, or furtherers of traitors and seminaries; yea, perceiving that some of them, waxing weary with hard imprisonment, began to slack in constancy, that he was in great hope and certain expectation, by extremity, to make them conformable. With these and such like informations he deluded the gentlemen's labour; although some were of opinion, that all was but a policy between the old treasurer with others of the privy-council, that the lord president should, by these means, vex, impoverish, weaken, break, and keep down the hearts of these gentlemen, having no other cause to molest them, save only by picking a quarrel at them for their wives: because they carry such a jealous conceit of them, that, although, for fear of laws, and danger of the time, they yield themselves in shew conformable, yet they suspect them rather to be dissembling schismatics, than formal heretics, and secret favourites of their wives' religion, though openly they

[1] The words, "*in Yorkshire*" are an interlineation, made by Holtby himself, in the original: but they have since been struck out, with a different coloured ink. Holtby evidently means to distinguish the parties here mentioned, from some of those whom he has just described.—*T.*]

take part with their persecutors; and, therefore, hate them no less than professed catholics, as back friends, or adversaries unto their impious state and government, if [1] and fit occasion should, at any time, be offered them, to declare their inward mind and contrary affection. Howsoever it was, the gentlemen all (except sir Henry Constable, who, upon a warrant from the council, got his lady first removed into the south, as a prisoner, and after, upon bond to appear at the privy-council's call, home to his own house, in the north)[2] were in fine compelled to leave off all other means, and wholly to seek favour at the president's hands; many of them obtaining, that way, more grace, through the suit and request of some catchpole, or bribing factor for the president, and other factious companions, whose voice and friendship it is supposed they bought for money, than could be obtained, either by suit of most honourable personages, or warrant from a great sort of the privy-council. Wherefore, now at last their liberty was granted, but yet with such bonds, cautions, and conditions, that, if they had been men of either conscience, or good religion, they would rather have lost all, and taken part with their wives in the like restraint of liberty by imprisonment, than any way to have accepted the same, seeing that, by our Saviour's own sentence, the gain of a world is worth nothing, if it bring but the loss of one soul. And such were the conditions of their recognisance accepted,—that no priest, or jesuit, or known catholic should come in their wives' company, or at their house; that they should have heretical ministers to come and confer with them; that

[1] [A worm has destroyed this word.—*T.*]

[2] [We learn from Garnet, that, besides lady Constable, the two wives of Hungate and Holtby were also released, the former for a time, on account of her health, the latter at the entreaty of her husband, who bound himself, under a heavy penalty, to produce her again, and, in the mean time, to take her to church. She was already pregnant, and suffering from a disease contracted in prison. As soon as she had sufficiently recovered, Holtby, to discharge his bond, compelled her to attend the service of the church; but the agitation, caused by the proceeding, overpowered her strength, and hurried her into premature labour. —Garnet's Report, apud Stonyhurst MSS. Ang. A. i. 73. Mrs. Killingale, who was also pregnant, was liberated, until after the birth of her child. See page 104, ante, note.—*T.*]

they should have heretical service or common prayers, thrice a week, in their house; that they should receive the communion of Calvin's institution, at times appointed. These and such like conditions, either all, or most of them, were they all bound unto, under pain of forfeit of such ample sums of money, that worldly-affected minds, whose wealth is their chief felicity, would easily hazard soul and all, by committing what sin soever, to avoid so great a penalty.

All catholics, being apprehended, and brought before the president and others of the commission, are first urged to take their oath, to answer truly unto all that shall be demanded upon them; but catholics being instructed by experience, that they shall be questioned of many matters, not only prejudicial unto themselves and others, but also prejudicial in such points, as no law or equity can exact at their hands, and fearing that, either through scruple of breaking their oath, or peril of supposed perjury, if by other means their answers could be disproved, to be drawn to confess more against themselves than were expedient to be uttered (for the persecutors would bear them in hand, that not only by justice they may exact such an oath upon them, but also that, by virtue of that oath, they are bound to answer directly unto all demands indifferently, without regard to prejudice, equity, or other bond of duty), they use now ordinarily to refuse such oaths, as the best way to avoid both scruple in conscience, and other danger.[1] And that you may know in what points they be examined, I will here set down the examination of

[1] [Verstegan, on the authority of a letter written to him in May, 1593, says, —"Besides the acts lately concluded in parliament against catholics, there is a special commission granted by the queen to six of the council and twenty others, about London, to enquire, by all ways and means, of all manner of recusants; to examine them, their abettors, and favourers, by all oaths and other compulsory means; to imprison and proceed to trial of them, at their pleasures; and further to do whatsoever the queen, under her privy signet or six other of the council's hands, shall direct: wherein all officers, as well justices as others, and all loving subjects, are to be assistant at their peril. The like commission must go into all shires of England, and with severity and speed be put in practice, to the end that all may be found out, and used at their descretion,—for so is the commission. What resteth, but expectation of a massacre?"—Verstegan to Persons. Orig. in my possession.—*T.*]

one in particular, that so you may conjecture of the rest.

In the year 1590, three young gentlemen being to pass into France, and expecting the commodity of wind, were apprehended at Shields, in the bishopric, by D. Pilkington, the 27th of February. One of them (Oliver Cottam) at two several examinations, first by Toby Matthews, dean of Durham, and after, at York, by Topcliffe and others, was urged first to a general oath, to answer to all whatsoever should be demanded; but that being denied, they asked him, 1°. if he were a priest, or within orders: 2°. What priests he knew: 3°. In whose houses he had seen or heard mass: 4°. If he would take the oath of the queen's supremacy: 5°. If he took the queen for lawful prince, all excommunication notwithstanding: 6°. If he knew any priests that were dispensed withal to deny their function (demanded upon their oath or before authority), for the working of private practices: 7°. If he knew any that did make priests in England: 8°. If he ever did see any catalogue or calendar of the catholics in England, with the persecutors of the said catholics, and what they were by name: 9°. If he would go to the church with them. And at York, the 20th of May following, 1°. If he knew George Beesley, a priest, urging him to swear he knew him not: 2°. But, seeing he would not swear, they demanded him, as he was a catholic, to say truly, whether he would take the queen's part, or the pope's, if he should invade, to establish religion: 3°. What places he had been at in Lancashire with Robert Ashton: 4°. Where he was acquainted with Robert Musgrave,—which [last] two were taken with him, and examined in the like articles. Which points of examination are, for the most part, set down by instructions given unto the commissioners, for proceeding orderly according unto the proclamation, and ordinarily ever since are proposed unto all recusants, at their several examinations. And here I cannot omit in what sort the dean of Durham did proceed with a single catholic brought before him at a commission: for he, being chief

commissioner in place, offered the poor catholic man to take his oath, to answer directly and truly unto all questions that should be proposed unto him. The catholic refused, saying, he would swear unto nothing: wherefore the dean, thinking to circumvent the simplicity of the man by a subtlety, asked him if he knew the coat upon his back to be his own. Whereunto he answered, he knew it to be his own: whereupon the dean offered him the book, and bad him swear. The poor man, perhaps fearing that, if he should not swear, he might be thought to have stolen his coat, took his oath that the coat was his own. "Well," said the dean, "now, by the oath that thou hast taken, when didst thou hear a mass? what priest dost thou know?" &c., essaying, by this sleight, to draw him to confess some matter, thereby to bring himself and others into danger, as though he had sworn to that effect.

In their examinations, as they see the nature and disposition of those that are brought before them, they use sometimes to terrify them with threats, and opprobrious words, as by threatening to hang them, and by calling them notorious traitors, rebels, and enemies unto the queen; sometimes to flatter them with fair words and promises to undermine them; sometimes, by false accusations and slanders laid to their charge, to discredit them before others; sometimes, by mocks and flouting taunts, to discountenance them and disgrace their cause; and sometimes, by framing some objections or reasons against their faith, either to seduce them, or to make the hearers contemn them, if they find their answers insufficient. But the end of all their examinations is this; to bring them or others within the danger of some statute, that so, for fear and terror of the law, if they chance to entrap them, they may induce them to yield and relent in their faith, or else to despatch them. To which purpose, one examination sufficeth them not; but they examine them often, and by several commissioners, that they may find, at least, some contradiction in their answers, and, if this will not serve, then they charge them with the confession of

some false brother, as with the confession of Major, Hardesty, Clark, and others; and that, accompanied with certain tokens and certainties, and with such specialties, to make the matter more probable and evident, that, in the end, they force them to acknowledge the matters they are charged withal, which otherways they cannot avouch sufficiently, but by their own confession.[1] And, if they yet refuse to confess the matter, then they draw them on, by promise of liberty or other favour, awarranting them withal that they shall sustain no harm, but the more favour, for confessing the same. If this will not yet serve, then they cause them to be the straiter kept, and to press them unto it by extremity; in the mean time, suborning some, by flattery to persuade them to yield unto his lordship. Then they tire them with continual access of preachers, or else send and remit them to the custody of some notorious heretics, who, by continual arguments and other assaults, labour seriously, and watch all occasions most vigilantly, to overthrow them. By this means, was Mr. Blenkinsopp, Mr. Warde, Mr. Trollope, Mrs. Cholmondeley, and others more, after long imprisonment, overthrown. When they have gotten any to confess against himself, then they use him at their pleasure; for, if he stand fast in his faith, then will they use all extremity against him; and, all promised favour quite forgotten, they will proceed to his arraignment and execution. But if he fall (which is more frequent), then they deal with him in such sort, that, first, his scandal shall be made notorious (although they promise great secrecy); for they urge him to make his public submission, and abjuration: then they make him lay in bond, or other as-

[1] [Nor were the proceedings in the courts of law less objectionable. "In judgments, they urge the catholics with questions more than by law they are bound to answer; seeking to entrap them, and to make them undo themselves by their answers, or, in shew, to deny their faith. They choose a jury, which they are sure will always cry "guilty" at their pleasure. One witness is enough against a catholic, as they use the law; and they that sit on the bench are taken for witnesses against those, whom they are to judge: yea, dead men's witness is brought against us, and the deposition of one forsworn wretch, that a dead priest said such a thing, was brought and accepted for the condemning of a poor catholic."—Letter to Verstegan, ut sup.—*T.*]

surance, or, at the least, his promise, not only to continue and go forward in his damnable renunciation, yea, to hurt his neighbours also, wherein he can; as to take priests, &c. Of all which points I could give particular instances, if it were needful. * * *

This same year, 1594, in the month of July, at the assizes holden at Durham, being the 22d, 23d, and 24th days of the said month, were arraigned, condemned, and after executed, for matters of religion, Mr. John Boast, Mr. John Ingram, priests, and George Swallowell, a minister, who, at his arraignment, made profession of the catholic faith, and died in the confession of the same. But, first, before I set down the manner of their arraignment, I think it not amiss to signify something of their apprehension, and other proceedings with them, during their imprisonment.

The lord president had of long time suborned and hired one Francis Eglesfield, to find some opportunity to betray Mr. Boast.[1] This fellow, being otherwise of infamous life, made no doubt to take the matter in hand, and, the better to bring his purpose about, dissembled himself a catholic, thereby more easily to intrude himself into the company of him, whom he meant to betray; and, understanding that Mr. Boast sometime used to visit the house of Wm. Claxton, who of long time had been in durance for his conscience, and his wife and children catholic, remaining at his house called Waterhouse, where also sojourned for the time the lady Margaret Nevill;— * * * Eglesfield, perceiving this to be a fit place for compassing of his enterprise, did insinuate himself into the friendship of the poor gentleman and his wife, and, making a commodity of their poverty, did, by love of money, and other courtesies, so bind and blind their well-meaning, that he deserved thereby both their trust and good report: and, although he might, at several

[" When the said lord president was promised by one Francis Ecclesfield, to have two of the gravest priests of the north betrayed to him, he desired the traitor rather to be sure of Bost." Challoner, i. 313.—*T.*]

times, have betrayed divers others, both priests and lay folks, in the same place (as it is reported), yet, because he could not have the man he looked for, others escaped the mischief meanwhile, lest, being descried, he should have missed the mark he shot at principally. Wherefore, the 10th of September, an. 1593, having intelligence that Mr. Boast was at the place desired, the president at that time also being in the bishopric of Durham, and expecting such a matter, a commission was given to certain men appointed, among whom was one Mr. Ralph Bowes, Ewbank, a minister, Outlaw, a pursuivant, with others picked for the purpose, who beset the house first afar off. In the meantime, cometh Eglesfield unto the door; and Mr. Boast, being ready to ride away, and coming unto the door, was saluted by the traitor, by kneeling down and asking him a priest's blessing, and so returned back to his company, who now was come nearer the house, and placed in such sort, that none could pass away unapprehended. Wherefore, the blessed man, perceiving himself to be betrayed (as he feared before, upon some mislike, the fellow's treachery) entered into a secret conveyance to save himself. Wherefore, they entered and searched the house, and rifled all; broke up the boarded floor of the parlour, where the lady Margaret lay, and found a conveyance below: found their church stuff in the bottom of a cupboard, in the chamber above, but could not find the man they sought for. Eglesfield, who would not come into the house with the rest, lest he were descried a traitor, cometh to the outside of the house, demandeth if they found him, assuring them he was within, and assigned them to break about the chimney, and they should have him;—for, not mistrusting any treachery, they had made him privy to their secrets. So was he found, and apprehended, and carried away to Durham, with the lady Margaret and her maid, the gentlewoman of the house, with others. This news being brought unto the president, he was so glad and pleasant that day as might be, affirming that he had gotten one of the greatest stags in the forest;

and, the next day, came in all haste to Durham (for he was at Darlington), to examine the martyr, and the rest that were taken with him. Wherein Mr. Boast declared himself both resolute, bold, joyful, and pleasant; and afterwards was assaulted with divers ministers, the particulars of which conferences I could not as yet obtain. One pleasant thing I heard reported generally, that a minister entering with him into some argument about images, and alleging out of Deuteronomy (xxvii.), *Maledictus homo qui facit sculptile*, as he interpreted, "cursed is the man that maketh any image," Mr. Boast answered merrily, "then," saith he, "cursed is he that maketh the knave of clubs" (for by that name was the minister termed, when he was student in Oxford, for his deserts); and so was he dashed. From Durham was he carried to York, and from thence to London, and from London back again to the place where he gained his crown and victory: in the which space of time, as appeareth by his own letters, he was examined fifteen several times, four times laid upon the rack, and once hung up in the manicles; the which he affirmed to be the most painful torment of all the rest; during which torment, the apostate Major was brought in unto him, and avouched that he had been with him in several places in the north; and by force of that torment they pressed out of him the confession of the same, for the which he asked God forgiveness; but being taken out of the torment, he renounced that he had said before, and protested that, for avoiding of that extreme pain, he had said otherways than became him.

Mr. John Ingram, having employed his travel, since his mission from the seminary, in the country of Scotland, for the restoring of souls out of heresy unto the unity of the catholic church, upon some urgent occasion had been in England, and returning back again, and entered into a boat, to pass over the river of Tweed into Scotland (Nov. 25, 1593), was stayed by the keepers of Norham castle, apprehended, and carried to Berwick; there being kept under the safe custody of Mr. John Carew, governor of the town, and used very

courteously, until such time as the lord president caused him to be brought from thence to York, where he was kept very close in the manor, and very hardly used, and, in the end, a little before Easter, was sent also to London ; there also being very straitly examined, hardly used, and put also to torture, wherein (as appeareth by his own writing) he confessed nothing to the hurt of either man, woman, or child, or any place he had frequented; insomuch that Topcliffe said he was a monster of all other, for his exceeding taciturnity. During the time he was in the north, he went by the name of a Scotsman, but, by means of false brethren, he was betrayed unto the president. Divers times he was assaulted by ministers, but he put them to the foil. He was taken upon St. Catherine's day, upon which day he had taken the holy order of priesthood. These and divers other extremities he endured, as may appear by his letters, and certain epigrams he made during his restraint.[1]

These two blessed men, having overcome all other trials, and vanquished their adversaries in these lesser skirmishes, were now thought fit to be assailed with the last and most dangerous conflict. Wherefore, being appointed to die, [they] were both together sent back again into the north country, having their feet tied under the horse's belly, for fear of flying, and the one severed a certain distance from the other, by the way, lest they might confer or comfort the one the other. So they arrived at York, about the 13th day of July, and from thence to Durham, to be arraigned at the next assizes, holden the 22d of the same month following. Mr. Ingram, in the meantime, before the day of the assizes, was first carried unto Newcastle, and put in a prison called the New-Gate. Being there, there came a gentlewoman to visit him, that had been before acquainted with him, when he was prisoner in Berwick, that had shewn herself favourable towards him there. She asking how he did, he answered her, "Well," and thanked her for his courteous entertainment at Berwick;

[1] [Some of these will be found in the biographical part of this work.—*T.*]

saying that he had been harder used since he departed from them, as that he had long time wanted a bed to lie in, &c.; affirming withal, that it did better content him the more hardlier he was used, although he had cause to thank her and others, that had better entertained him. The gentlewoman, perceiving him very joyful, said unto him that she marvelled to see him so merry, considering what he looked for: and he answered that he had great cause to be merry, because, his wedding-day being at hand, the bridegroom must needs be glad, for, within ten days, he hoped to enjoy his spouse. She said that it was true, his hope was good, but his banquet was deadly: but he answered that the reward was sweet. When the gentlewoman came to him, she found him at his dinner, having no other dainties, for the present, than bread and water, for it was Friday. So she took her leave, and he was carried the next day to Durham, towards the assizes.

* * * * *

In the year 1594, the twenty-second, twenty-third, and twenty-fourth of July, were the assizes holden at Durham, at which were the lord Henry Hastings, earl of Huntingdon, lord lieutenant, and president in the north, together with Matthew Hutton, supposed bishop of Durham, justice Beaumont, baron Ewinges, justices of the assizes, and many others. The first day, being the twenty-second, Hutton made a seditious and bloody sermon before the judges, to prepare their minds towards their future proceedings, with certain invectives against the pope, seminaries, priests, &c., incensing the judges to prosecute with all rigour the justice, or rather cruelty, of the law, against such persons and their fautors, as by occasions should be produced before them. The twenty-third day, the president, with the justices and the rest, being set, the bishop also being in place by the commandment of the president (for these men regard no irregularities), the jury was impanelled for trial of life and death; which done, the clerk of the assizes said, "Gaoler, bring forth thy prisoner, John Boast, unto the bar." Who appearing, the clerk

said, "John Boast, hold up thy hand:" which being done, the clerk read his endictment, containing, that John Boast, being a natural Englishman, born at Dufton, in the county of Westmoreland, had, without license, departed the realm into foreign countries, where, by authority of the bishop of Rome, since the first year of her majesty's reign, he was made a seminary priest, and so had again returned into England; and at Waterhouse, in the county of Durham, such a day (naming the time of his taking, or thereabouts), had said mass, contrary to her majesty's laws, her crown and dignity, &c.;—and asked him if he were guilty, or no? "Not guilty," quoth he. *Clerk:* "How wilt thou be tried?" *Boast:* "By the clergy, viz., by an inquest of priests." *Beaumont:* "There is no such trial in use, nor allowed in England, at this day." *Boast:* "Then I will be tried by your own consciences." *Beaumont:* "You must say whether you will be tried by God, and the country, or no: which if you refuse, there is a shorter course for you." *Boast:* "I am a priest of the holy catholic church; and I came, though unworthy, according unto St. Paul, to preach the Gospel of Jesus Christ, whereof I am not ashamed, and to minister the sacraments unto my dearly beloved countrymen." *Ewinges:* "Sirrah, you came not hither to preach: you shall be dealt withal well enough: if you will not submit yourself to the ordinary trial, we have another way for you. Thou art an obstinate villain." *Boast:* "Woe be to them that have taught that true obedience to the queen and true religion cannot stand together well. I do not mean that any of this inquest shall stand charged, or be guilty of my blood. I had rather confess the whole endictment." *Beaumont:* "Then you do confess that you are an Englishman, and have travelled beyond the seas, was there made priest, by authority from the bishop of Rome, since the first year of her majesty's reign, and have returned and said mass in England, according to the endictment?" *Boast:* "All that I must needs confess, and am not ashamed of it, but do

greatly rejoice that I have done so." *Beaumont:* "Then enter his confession upon record: the jury shall not be troubled with him: the court may proceed against him, upon his own confession." Here Mr. Boast offered to speak, but he was not suffered. *Ewinges:* "Carry him away from the bar, for he is impudent, and will seduce the people:"—and so he was carried again into prison, the people flocking about him, in going, and he sundry times wishing to God to send them good instructors.

Clerk: "John Ingram, priest, hold up thy hand." *Ingram:* "Here my lords;" and so held up his hand. *Clerk:* "Thou art endicted by the name of John Ingram, the son of —— Ingram, of Stoke, in the county of Hereford, Esq., for that thou, being a natural Englishman," &c.,—as in the other, omitting the point of mass-saying. *Ingram:* "Not guilty." *Clerk:* "How wilt thou be tried?" *Ingram:* "Though I ought not to be tried by your temporal laws, before I be dealt withal by a lawful clergy, yet will I not stand thereupon:—by God and the country." *Clerk:* "God send ye a good deliverance" (a speech ordinary). Ingram here confessed that he had been out of England fifteen years, whereof a certain space at Douay, where he was instructed by one Columbus a jesuit. The residue of his time he spent at other universities, and four of the last years at Rome, where he took the order of priesthood. And [he said] that he came from Rome to Scotland, where he lived, minding not at all to come into England, because of the persecution there; and he was, even upon his coming into England, pursued in Scotland, and constrained to avoid the same, for fear of his life. He came into England, and stayed but ten hours, and, returning to Scotland, was taken upon the water of Tweed,[1] before he had performed any priestly function

[1] [The following extract from the confession of John Brushford will shew something of the precarious and wandering mode of life, adopted by the missionaries, in order to elude the pursuit, to which Ingram here describes himself as exposed. "I came over," he says, "a little before the last statute made against the coming in of priests, and, by reason thereof, I found every body so fearful, as none would receive me into their houses. Wherefore I, with another

in England; and, therefore, as he thought, not guilty, by the force of any law or statute of force in England; "considering that I was forced for safety of my life to come in, and made no stay." The president charged him, that he had been longer in England, and had travelled further, as, namely, through Newcastle into the bishopric, in the company of one that would avow the same: but the avower was not present to be seen. Ingram then, in the latin tongue, recited an ancient Roman law, containing that every witness for life and death should be produced face to face; and took God to record he never was in Newcastle, nor in the bishopric, but when he was brought that way as a prisoner. The president said that, when he was at

priest called John Taddy, hired a chamber in a poor cottage, in the wood by Tottenham-Highcross, where we remained close, six or seven months, sending the poor man to the city for victuals. After this, I lay in Hog Lane, at one Mrs. Tempest's, a widow woman, the space of other five or six months. I had also a chamber in Gray's Inn Lane, at one Blake's house, unto the which I resorted, when I knew not whither to go else. I was once at Clerkenwell, at sir John Arundell's; but, for that he was then in trouble, in the Star-chamber, about one Mr. Higgins, a priest, I could not be received, but I was with him afterwards, in the Gatehouse. * * *

"After this, I lived secretly, in a village on the plains of Salisbury, not far from Amesbury, with one Mr. Durdoe and his wife, in the house of one Edward Wyse; unto which house resorted also one Mr. John Grove. The good man of the house and his wife were protestants, and did harbour us for no other thing, but for his gain; not knowing what I was, as I think. We remained in this place, about six months; and after that, some suspicion growing of the place, I went, with the said Mr. Durdoe and his wife, into Wales, and were lodged in one Mr. Herbert's house, not far from Monmouth, where I remained some three months, until the gentleman began to suspect what I was; and then I returned to London, where I remained until I had opportunity to depart the land, which I earnestly desired, chiefly for that I had determined to forsake the world, and to serve God quietly in religion: and, taking boat at Southampton, I landed at St. Vallery-in-Caux, not far from Dieppe; and, going to Paris, was there, after some suit made, admitted into the company, or society of Jesus, and sent to Verdun for my probation, where I remained a novice, until I was compelled, by extreme sickness, to depart thence.

"The persons of any reputation that I was acquainted withal, about London, were, Mrs. Tempest and her children, sir John Arundell, when he was a prisoner, Mrs. Yates of Lyford (I did not know her husband), and once, I remember, I was with sir Thomas Fitzherbert; and, in the country, Mr. Durdoe and his wife, Mr. Grove, Mr. John Scudamore.

"I was, I remember, once entreated to have ridden into Cornwall; but I durst not, for that I was well known by the way. I was once also at one Mr. Coram's house, by Winchester, and spoke with the gentlewoman: but, when she perceived what I was, she requested me to hold her excused. Her husband was not at home; her house was full of strangers; and she had sheep to shear: wherefore she prayed me to depart." Lansd. MSS. xcvi. 63.—*T.*]

York, he called Mr. Ingram unto him into his garden; and, at that time, he had placed the other party (not present, and who he said before would avow it) in a window, where he might behold Ingram's face, for the space of his going all the length of the garden: and so dismissed Ingram to his keeper, and came to the party in the window, who told him that Ingram was the same man, that he before had told him to have been in a gentleman's house, in Northumberland, and with whom also that party had travelled through Newcastle into the bishopric withal, and had left him at Gateside head, &c. Ingram denied ever to have been in any house in Northumberland, saving during the said ten hours that he was in an alehouse, where he eat and drank; and that he came forth of Scotland at Wark, and was to go back at Norham, where he was taken. The president named one unto him, that had informed him: but Mr. Ingram protested that it was not so; and prayed God to forgive him. *President:* "Ingram, you know that I brought unto you, at York, another seminary priest, Mr. Hardesty; who, as soon as he saw you, saluted you by the name of Monsieur Messingamus; where, before, you had told me you were a Scot, and that your name was Ogleby: but, in truth, you were deceived of your purpose. Your meaning was, to have met with Walpole, and your uncle, one Lyngam, in Scotland, and so to have travelled into England: but God prevented that, by forcing them to land in Yorkshire; and so were taken." *Ingram:* "The changing of my name is no such offence. Many examples" * * * * *[1] *Beaumont;* "My lord, the jury hath heard the evidence. He hath confessed himself to be a priest, made by the authority of the bishop of Rome, since the first of this queen: his coming into England, though he but set his foot within the land, is treason; whereof let the jury consider." Then Mr. Pepper, as the queen's attorney, did enforce against him divers his examinations, tending to the effect aforesaid; adding withal, but with no small

[1] [The MS. is illegible here.—*T.*]

impudency, that, where he and others of his coat pretended, to the slander of the present state, that they died for religion, it was nothing so; but they died for treason against the ancient laws of this land; and, namely, a law made the 25th of Edward the third, which he declared was directly against him, and all other jesuits and priests; and, therefore, that it was injurious, to say they were condemned by any new law, &c.:—as though the world knew not that these priests, now arraigned, were arraigned upon a new statute, made in the twenty-seventh of Elizabeth, and that the law of Edward the third was made before either jesuit or seminary priest was spoken of; for to be a priest was never against any statute in England. Then Mr. Ingram shewed that the statute alleged was not against him, nor any of his coat; and that it was never so taken, that any Englishman going to Rome, and taking orders, and returning, was adjudged therefore a traitor: "for, indeed, that statute is for matters of benefices: but your statute is for being a priest. He is *ipso facto* a traitor: whatever he do or say, his every action is treason."

After his speech, Pepper prepared to reply, but was prevented by the judge, who said, "Ewinges, it is enough; the jury hath heard him confess that he was made a priest, by the authority of the bishop of Rome, and that he came into England, contrary to the law. It is evidence enough for the jury," &c. And so was Mr. Ingram carried from the bar to prison.

Clerk: "Bring George Swallowell to the bar. George Swallowell, hold up thy hand." Which done, there was read against him an endictment, for persuading one John Willie from the religion established unto the Romish religion, telling him he could never be saved by any religion, but by the catholic faith, for which the four priests were lately, as he said, executed at Durham;[1] that the queen, being a woman, could not be

[1] [Edmund Duke, Richard Holiday, Richard Hill, and John Hog. They arrived from Douay at the end of March, 1599, and on the 27th of May, were executed at Durham.—*T.*]

head of the church; with divers other words tending to treason, and withdrawing the said Willie from his due obedience from her majesty's laws.

To this whole endictment the said Swallowell pleaded "not guilty;" saying that it was the malice of Dr. Bellamy that had procured all this against him. Then were read the examinations of one Willie, and of one Finch, taken before the bishop of Durham, which contained the effect of the endictment. But the prisoner called for Willie to appear, but he was not there. Then Finch came into the court, and gave evidence, that Willie had told him that Swallowell had spoken the words, in manner and form aforesaid: and further, that he, the said Finch, having been at the execution of the four priests, came to Sherbourne House, where he then served, and made report of the manner of their deaths. Upon all which, Swallowell said that, no doubt, these priests were martyrs before God. Upon which relation the jury were to consider of their verdict.

In the afternoon, the same 23rd day, John Ingram and George Swallowell were brought to the bar, when the jury was to give in their verdict, who pronounced that they were both guilty of high-treason. Whereat Mr. Ingram protested earnestly, and took God and his holy angels to witness, that he was condemned for religion only. *President:* "Thou liest most falsely: thou art condemned for most vile treason against the queen's majesty." *Ingram:* "My lord, I die only for religion, and for the same religion, by the which, and no other, your lordship and this whole bench must all be saved, if ever you will be saved." *Beaumont:* "Thou art impudent, and knowest not what thou sayest: the law telleth thee that thou diest for high-treason. Take him away from the bar." *Ingram:* "There is no christian law in the world, that can make the saying and sacrifice of the mass treason: and as well might the celebrating of the maunday of Christ's disciples be made treason, as the saying and hearing of mass be made treason." *Beaumont:* "Away with him; he will seduce the ignorant people." Here Swallowell would have

prostrate himself for mercy, but was remitted from the bar, with Mr. Ingram, for that day.

The next morning, all those that were found guilty were brought unto the bar, to hear their judgment. And first of all, Mr. Boast, who, holding up his hand, was asked what he could say, that he should not receive judgment to die? Mr. Boast answered, that he was glad that God had called him unto that trial of his priesthood and profession; and very sorry that the laws of his beloved country were such, as could not concur with the holy catholic faith. Here the president told him of his being at Ardington, at a marriage, where also was one Ballard, a priest, who told him of an invasion towards, by the king of Spain, which, he said, Boast traitorously concealed. Mr. Boast confessed that then and there he spoke with Ballard, and that Ballard told him of an invasion, and that he reproved Ballard for the same, saying, "Thou and I are priests: it is our function to invade souls, and not to meddle with these temporal invasions; they belong not to us." And he added further, that "whosoever doth further charge me in that, or in any other thing than is contained in my confession, under mine own hand, he doth charge me untruly, be he a lord, or whosoever; and I thought I had deserved no blame in that; for, to tell every tale one heareth, and that . . . . . [1], could not be warrant, or, if any such thing were, had been folly." "Nay more," quoth the president, "you did then rejoice to hear of it, and was very desirous to be made acquainted with the secrets thereof: but, if your treasons had come to pass, where then had been queen Elizabeth, whom I beseech God preserve ever and ever:" and the rest said, "Amen." Mr. Boast was further urged, that he had taken the oath of supremacy, in Oxford, in Queen's college, and was a minister, and, by this revolt, was an apostate, and stained with perjury, and had been a lewd fellow. He answered; "Infinitè peccavi, miserere mei Deus:" and, "nunquam sera est ad bonos mores via. Because I

[1] [Two or three words are illegible.—*T.*]

once persecuted, therefore, by your reason, I must persevere therein. St. Austin, if he was a manichee, yet died a good christian, and a saint:"—and offering to speak a little more, was commanded by Beaumont to be silent, who said he had had too much liberty of speech; yet was urged again by Stanhope, that he was perjured, in that he had sworn to take orders, after a time, being in the college in Oxford. He said, "Your orders of clergy were not known, nor heard of, when the statutes of the house were made;" and so was Stanhope put to silence, and ashamed of his speech.

Then the clerk said, "John Ingram, hold up thy hand. What canst thou say that thou should'st not receive judgment?"—"I say that I am a priest, and that my exercise and practice of priesthood cannot be called or made treason, by any christian law; and I beseech God to forgive both you and them that make it otherways. And I do with all my heart forgive you, and all my accusers and persecutors: and so I beseech God to have mercy upon me, and to strengthen me with patience and constancy in mine agony."

Clerk: "Swallowell, hold up thy hand. What canst thou say that thou should'st not," &c. *Swallowell:* "Good my lords, be good unto me; I am falsely and maliciously accused. D. Bellamy seeketh my blood, for some advantage to himself, by making profit of my place in Sherbourne house when I am gone. I was brought up there, under Mr. Thomas and Mr. Ralph Lever, and by them preferred. I beseech God to bless the queen's majesty, and confound all her enemies." *President:* "Wilt thou defy the pope, and his laws, and all seminary priests and jesuits?" *Swallowell:* "Yea, my lord, I defy them all." *Beaumont:* "Will you fight in her majesty's behalf, against the pope, the king of Spain, and all papists, her enemies?" *Swallowell:* "I will fight against them, while I am able to stand." *President:* "Will you take the oath of her majesty's supremacy?" *Swallowell:* "Yea, my lord, whensoever you will." Here the president and the judges privately consulted, and it was expected that

Swallowell should be reprieved. *Beaumont:* "Well, then, you three, Boast, Ingram, and Swallowell, for you are all condemned for treason, attend your judgments." First, he made a short exhortation, wherein he told them it was a marvel, they would so much advance the pope above princes, in spiritual matters. "I will," quoth he, "tell you of an ancient record, proving the authority of the kings of England, in matters spiritual;" and then declared how Eleutherius, an ancient godly bishop of Rome, "but no pope I warrant you,"—he receiving letters from king Lucius of England, wherein he prayed him to send him some good laws, whereby he might govern his kingdom, Eleutherius answered, "habes utramque paginam," &c. (i.e.) "thou hast both the old and new Testament. Counsel with the wise men of the kingdom, and gather laws thereout for thyself; for thou art the vicar of God in thy own kingdom." Here Mr. Boast smiled, and would have spoken, but was interrupted; yet he brake out with these words, viz., "It is doubtful whether that epistle of pope Eleutherius be counterfeit or current. For my own part, I have sought much for it, and could never find it, but [only] a report of it, out of Mr. Jewell, and such like authors."[1] This said, Beaumont proceeded to judgment, pronouncing sentence, as in case of high-treason is used, concluding with "God have mercy upon you." Mr. Boast, kneeling down, and stretching forth his hands, thanked God, that had given him grace to confess his name before them all; and said he did glory in it. Mr. Ingram said, "Te Deum laudamus," &c. a

[1] [This epistle, which is said to have been first printed by Arnold, in 1520, is inserted by Lambard in his work, "De priscis Anglorum legibus," published in 1568. Collier has clearly shewn that it is spurious (i. 15); and Persons, with equal force, has remarked that, even allowing its authenticity, it has no reference to spiritual authority (Three Conversions, i. 96). Lucius, in fact, already a christian, had written, so the epistle itself assures us, for "a copy of the Roman and imperial laws, with the intention of introducing them into his own dominions." In reply, the pope tells him that he possesses another and a better law, for the model of his legislation. By that law, he is the vicar and minister of God in the government of his people: in accordance with that law let him frame his intended code; and let him, by its precepts, so regulate his temporal kingdom, that he may deserve to be rewarded with an eternal crown.—What is there, in all this, to affect the spiritual supremacy of the Roman see?—*T.*]

verse or two thereof; and then Mr. Ingram and he kissed their hands, and embraced each other. Swallowell then said, "My lords, my lords, I pray you hear me. Let me die with these two blessed martyrs. I will be a catholic, and die as they do; and here I do renounce, and am sorry for, that which last I said against the catholics, and am now, by these two blessed martyrs' examples, resolved to be a catholic:—and thereof made many vehement protestations, disturbing the court for the present, who all fell into a laughter against him, upon his sudden change. Hereat Mr. Boast, standing next him, clapped him on the head with his hand, and said, "hold thee there, and I warrant thee." Then the president said, "we do laugh at him; but there is more cause to weep for him;"—and seemed to lament his sudden revolt very much. But Swallowell so persisted in his last revolt, that, the court being disturbed therewith, the president and the judges commanded the two priests from the bar, who as they retired to their prison, there came a minister to Mr. Boast, and offered conference. The undersheriff commanded him away; saying, my lord had commanded that none should speak with them. But Mr. Boast said to the sheriff, "let him come; I will talk with him; but I would have heard my lord of Durham say something." * * * * *

It seemed good to the president and judges, that the two priests and Swallowell should die, for public example sake, at three sundry places; viz., Mr. Boast at Durham, Mr. Ingram at Gateside-head, and Swallowell at Darlington. Upon Wednesday the 24th of July, 1594, Mr. Boast was brought in a cart to the place of his execution. In the way, great guard was used, that none should come near the cart, save only the officers and sundry ministers; and the justices were appointed to note the manner of execution, and observe the people's behaviours, and to take heed that none should speak unto him. Being come unto the place, he came forth of the cart, and, at the ladder foot, kneeled down on both his knees, and privately prayed unto himself, and, after, made the sign of the cross on the side of the lad-

der, and so ascended up; and turning him unto the people, began to speak; but was interrupted, and willed not to speak, but to pray for the queen, and to confess his offences, and to crave pardon. He said that, if ever, in his life, or temporal conversation, he had offended her majesty, or her laws, he was sorry, and did ask her forgiveness; but for his exercise of priest's function, being the service of God, it could not be offensive to her highness, nor to any estate in the world; and, therefore, it neither needed repentance from him, nor forgiveness by her. Then was he willed to hold his tongue, or to make an end of his prayers. All this while, the rope was about his neck, and one at the foot of the ladder, ready to turn the same, if he should offer to speak offensively. Then he began a prayer in Latin, which was one of the psalms of David. Whether it were, *Levavi oculos*, or, *Ad te levavi*, I am not yet assured; for the words my information gave me are not right recited: but he offered to have made certain expositions of the words, and, upon some of them, he gave this note, that he gave God thanks, that had called him from the detestable estate of heresy, wherein once he was plunged, to be a professor of his most holy catholic religion.[1] And here he was interrupted again. Then one in the press among the horsemen spoke something unto him, and he craved earnestly at the sheriff's hands that he might answer him, but was denied. "Well then," quoth he, "seeing that neither living nor dying I can be suffered to speak, then I beseech God that my death and blood may speak for all:"—and so, with a few prayers being said by him, he was turned off the ladder, where he hung till he was scarce half dead, and so was cut down, and hauled to the pit, where the fire was. Where, as he felt the butcher his knife, he spoke to

[1] [The psalm which he recited was, in reality, the hundred and fourteenth; and the verses, on which he commented, were the seventh and eighth: "'Return O my soul, into thy rest, because God hath done well unto thee'. And why hath God done well unto thee?—It followeth;—'Because he hath delivered my soul from death.'—'From death;' what is that? From the sting of heresy, wherewith our country, alas! is infected, plagued, and pestered."—Robinson's MS. apud Challoner, Append. ii. 492.—*T.*]

him, and said, "God forgive thee, go on, go on." And again, "Asperges me, Domine, Domine, Domine, miserere;" and so died. His quarters were set on the castle, and his head upon Framegate (Framwell-Gate) Bridge in the town; the which was taken away that night, by some of his friends.

Upon Friday, being the 26th of July, Mr. John Ingram was by the undersheriff conveyed to Gateside. The cart, therefore, coming to the prison, he was brought forth, and laid therein: and, entering into the cart, he used these words, "tanquam agnus innocens ad occisionem ductus sum;" and being so carried out of the town, there was a horse prepared for him, and so he rid the rest of the way on horseback, without boots or cloak, having upon his head a white coif only, with a Jesus wrought in the forehead with red silk (as also Mr. Boast had, towards his execution, a night cap, with a coif under it, turned up, and thereupon a Jesus wrought in black silk, and, as it were, a holy lamb above it), holding the bridle in the left hand, and his right hand up, praying; but it seemed that he had no perfect use of his right hand, by reason of racking, for he could not hold it very upright. His horse was changed at Chester, and another delivered unto him; * * * * and between the undersheriff and the aldermen of Durham was conveyed unto the Tolbooth in Gateside. * * * * The same day, about three of the clock at afternoon, or a little before, all things at the place of execution being ready, Mr. Ingram was then laid in another cart, and from the Tolbooth was drawn to the place of execution. And being come thither, he prayed upon his knees in the cart, and, after, prostrate himself upon his face and belly. After a while, he descended from the cart, and sat down on both his knees, and prayed again; and, making a cross upon the ladder, and kissing it, he ascended up, and, turning his face to the people, he said, "I take God and his holy angels to the record, that I die only for the holy catholic faith and religion, and do rejoice and thank God with all my heart, that hath made me

worthy to testify my faith therein, by the spending of my blood in this manner." And then the sheriff interrupted him, and willed him to make an end of his prayers. Then he required the people to consider in what a damnable estate they stood in, through erroneous religion, as he termed it. Then one Banister, a follower of the judges, said, "Mr. Sheriff, he is preaching unto the people." Then the sheriff again interrupted him. Then he was willed to pray for the queen; and he prayed God that she might long reign to his glory, and that it might please him to procure her to live and die a good catholic christian prince. "Marry, God defend," quoth Hutton, parson of Gateside; and they were offended he had prayed in that manner; and he answered that they bad him pray for her. The rope being put about his neck, the which he kissed twice before it was put on, he said his *Pater noster*, *Ave Maria*, with *Ora pro nobis*, *sancta Dei genetrix*, &c., *Credo*, and the psalm *Miserere mei Deus*, desiring the baylie, that stood at the foot of the ladder, that he would spare him, until he had made an end of that psalm: which done, making the sign of the cross upon himself, and saying, *In manus tuas*, &c., the ladder was turned; and, being dead, he was cut down, bowelled, and quartered, as the manner is. His quarters were sent to Newcastle; his head set up upon the bridge, with Mr. Lampton's and Mr. Waterson's; and his blessed soul received triumphantly among the celestial spirits, in the kingdom of his heavenly Father.

Upon Monday following, George Swallowell, sometime a minister, or reader, in the hospital of Sherbourne House, so called, was carried to Darlington, to be executed. It was God's providence, that he was reserved to see the examples of these two priests, and so to have this occasion to win his crown; for he had been, at a gaol-delivery, at candlemas before, brought unto the bar, but was reprieved by the lord president, and remitted unto the general assizes before the judges; and, if this occasion had not been, it is very probable that he should have been quit, and continued in his former es-

tate. Being brought unto the place of execution, and a room made for him, there came in four or five ministers: but he said, "Mr. Sheriff, you promised me that I should not be troubled; I pray you take them away." They urged him that he was a minister, and of another profession; and he answered that he was sorry for it, that he had been so. Then the undersheriff commanded him to go up the ladder; which done, he said unto him, "Now hear me a little: thou art condemned for a traitor against the queen's majesty, and art to receive thy punishment, according to thy deserts. Confess thy fault, and ask the queen forgiveness." Then he answered that he had offended God, and asked *him* forgiveness; for he had given to Cæsar more than was Cæsar's due: and so, desiring all catholics to pray for him, he said his own prayers in Latin, and, being turned off the ladder, and dead, was cut down, bowelled, and quartered.[1] His quarters were buried together, at the foot of a stack or heap of furze, and his head was appointed to be set up on the Tolbooth; his soul receiving a whole hire, though he came not to the vineyard, before the eleventh hour.

[From the foregoing pages the reader will have formed some notion of the proceedings, publicly adopted against the catholics. It still, however, remains to introduce him to the secrets of the prison house, to exhibit to him the tortures there endured by the unhappy captives, and to shew him to what refinement of barbarity the inhumanity of their persecutors had attained. The following is the account, which Rishton has left us of the transactions in the Tower, during the period of his own imprisonment: it will be succeeded by the names of the principal sufferers for religion, during the present reign.]

Besides the prisons, reserved for other purposes, and, like Ludgate, appropriated to the reception of such

[1] [Another account, however, says that, "after he had hung awhile, they cut the rope and let him fall; and the hangman, who was but a boy, drew him along by the rope, *yet alive*, and there dismembered, and bowelled him, and cast his bowels into the fire. At the taking out of his heart he lifted up his left hand to his head, which the hangman laid down again; and when the heart was cast into the fire, the same hand laid itself over the open body." Apud Challoner, i. 320.—*T.*]

of the more respectable citizens, as are confined for debt, London possesses eleven other capacious gaols, into which persons of all descriptions, of both sexes, and of every age, are in these days thrown, for the confession of the catholic faith. Their names are, the Gatehouse, in Westminster, the Fleet, Newgate, Bridewell, the two Compters, the King's Bench, the Marshalsea, the White Lion, the Clink, and the Tower. In the last of these the providence of God permitted me to be detained, for more than four years, solely on account of my sacerdotal character. Here, during this period, I passed through a variety of sufferings: here I received the sentence of death (a sentence, however, subsequently commuted into banishment); and it has now, therefore, struck me that I should perform a task, neither useless in itself, nor foreign to the service of God, if I should draw up a statement, in the form of a diary, of such occurrences as came under my notice, during the time of my imprisonment. From this statement the christian reader will learn the proceedings in one prison, during the period of five years. Let him apply the account to the other gaols, both in the metropolis and in the provinces; let him extend it to the twenty-seven years, during which Elizabeth has reigned; and he will then be able to form some idea of the past and present sufferings, endured by the English catholics for their faith.

To render the narrative, however, more intelligible, it is necessary to remark, what is peculiar to the Tower, that each prisoner is confined in a separate cell, where, under the eye of his own keeper, he is continually immured, excluded from the sight and conversation of his fellow-captives, and cut off from every means of communication with others, either by letters, or by messengers. It is from this cell that he is led forth to the various scenes of his sufferings,—to the punishments, which the caprice of his persecutors is permitted to inflict on him, to the examinations to which he is subjected, and to the rack, by which his confessions are sought to be extorted from him.

Of the means or instruments of torture employed in the Tower, there are seven different kinds. The first is the Pit,—a subterraneous cave, twenty feet deep, and entirely without light.

The second is a cell, or dungeon, so small as to be incapable of admitting a person in an erect posture: from its effect on its inmates it has received the name of "*Little-Ease*."[1]

The third is the rack, on which, by means of wooden rollers and other machinery, the limbs of the sufferer are drawn in opposite directions.[2]

The fourth, I believe from the inventor, is called "*The Scavenger's Daughter*." It consists of an iron ring, which brings the head, feet, and hands together, until they form a circle.[3]

The fifth is the iron gauntlet, which encloses the hand with the most excruciating pain.[4]

The sixth consists of chains, or manacles, attached to the arms; and

The seventh, of fetters, by which the feet are confined.—With this explanation, what follows, in the Diary, will be readily understood.

It only now remains for me to add, that I have mentioned no torments but such as were inflicted on catholics for their religion; and have described merely such

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[1] [It was, in fact, so small, that the prisoner could neither stand, sit, nor lie, at full length.—*T.*]

[2] [Dr. Lingard's description will give a better idea of this instrument. "The rack," says he, "was a large open frame of oak, raised three feet from the ground. The prisoner was laid under it, on his back, on the floor: his wrists and ancles were attached by cords to two rollers, at the ends of the frame: these were moved by levers in opposite directions, till the body rose to a level with the frame. Questions were then put; and, if the answers did not prove satisfactory, the sufferer was stretched more and more, till the bones started from their sockets." viii. 423.—*T.*]

[3] ["The Scavenger's Daughter was a broad hoop of iron, consisting of two parts, fastened to each other by a hinge. The prisoner was made to kneel on the pavement, and to contract himself into as small a compass as he could. Then the executioner, kneeling on his shoulders, and having introduced the hoop under his legs, compressed the victim close together, till he was able to fasten the extremities over the small of the back." Ling. ib. 424.—*T.*]

[4] [These gauntlets "could be contracted by the aid of a screw. They served to compress the wrists, and to suspend the prisoner in the air, from two distant points of a beam. He was placed on three pieces of wood piled one on the other, which, when his hands had been made fast, were successively withdrawn from under his feet." Ibid.—*T.*]

occurrences as could come to my knowledge, while separated from the rest of the prisoners. More will doubtless be related, in due time, by others. Meanwhile, christian reader, let this short narration excite, and call forth your prayers for our afflicted country. Farewell.

1580.

June 15. William Tyrwit, the eldest son of sir Robert Tyrwit, was apprehended, and committed to the Tower, charged with having heard mass at the wedding of his sister.

June 18. Robert Tyrwit, the brother of William, was taken up for the same cause, and, though in extreme ill health, neither the entreaties of his friends, nor the offer of bail, could save him from the Tower, where he soon after died.

Dec. 5. Ralph Sherwine, Thomas Cottam, Robert Johnson, Luke Kirby, priests, with Nicholas Roscaroc and Henry Orton, gentlemen, were brought to the Tower from other prisons.

Dec. 10. Thomas Cottam and Luke Kirby, priests, suffered compression in the Scavenger's Daughter, for more than an hour. The former bled profusely from the nostrils.[1]

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1 [Cottam has left this account of one of the objects for which he was thus tortured. It is a note of what passed at his trial:—"Thus therefore he spake, and avouched openly in the presence of the rack-masters. 'Indeed,' quoth he, 'you are searchers of secrets; for you would needs know of me what penance I was enjoined by my ghostly father for my sins committed: and I acknowledge my frailty, that, to avoid the intolerable torment of the rack, I confessed (God forgive me) what they demanded therein. But, when they further urged me to utter also what my sins were, for which that penance was enjoined me (a loathsome and unchristian question) I then answered that I would not disclose my offences, saving to God and to my ghostly father alone: whereupon they sore tormented me, and still pressed me with the same demand; and I persisted that it was a most barbarous inhuman question, and that I would not answer, though they tormented me to death.' Thus spake Mr Cottam at his arraignment; wherewith the enemies being ashamed, the lieutenant of the tower, there present, began to deny the whole: whereto Mr. Cottam replied again thus;—'And is not this true? Here is present Dr. Hammond, with the rest of the commissioners that were at my racking, to whose consciences I appeal. God is my witness, that it is most true: and you know that sir George Carey did ask me these unnatural questions; deny it if you can. In truth, all your torture and demands, every one, were of no other treasons but matter of mere conscience, faith, and religion, or else of such follies as I have rehearsed.'" Apud Allen's Answer to Eng. Justice, 12.—*T.*]

Dec. 15. Ralph Sherwine and Robert Johnson, priests, were severely tortured on the rack.

Dec. 16. Ralph Sherwine was again placed on the rack.

Dec. 19, 29. John Bosgrove, S. J., and John Hart, priests, with John Pascal, a lay gentleman, were removed from other prisons to this.

Dec. 31. The same John Hart, having lain five days on the bare ground, was led to the rack. In like manner, Henry Orton.

1581.

Jan. 3. Christopher Thomson, an aged priest, was brought to the Tower, and racked, the same day.

Jan. 14. Nicholas Roscaroc, a lay gentleman, was racked.

Jan. 15. John Pascal and Harram Stevens, laymen, having been impelled, by the fear of torments, to make certain public declarations contrary to faith, and, particularly, to express their willingness to join in the religious worship of heretics, were, the next day, set at liberty, as an inducement to others.

On the same day, and on the same occasion, Edward Hopton, the lieutenant of the tower, having forced us to church by means of the military, publicly protested that he had no one in his custody, who did not willingly go to the protestant worship.

Feb. 5. John Nicholas, formerly a calvinistic minister, and afterwards a pretended catholic, mounted the pulpit, to inveigh against the Roman pontiff, at whose expense he boasted that he had, for some years, lived in Rome. All the prisoners were carried by force to hear him: but they interrupted him more than once, in the midst of his raving, and, when his sermon was finished, hooted him away. * * * *

Feb. 5. From this time, until the feast of the following Pentecost, we were, every Sunday, dragged by our keepers and the soldiers to hear heretical sermons, which were preached by ministers specially appointed for this duty. As these men, however, descended from the pulpit, we publicly, and in the face of the people

convicted them of falsehood, and challenged them to disputation; whilst Hopton, the lieutenant, in vain endeavoured to silence us, by the threats of the torture that he would inflict.

Feb. 8. Thomas Bruscoe, a layman, and lately a student in the Roman college, being apprehended immediately on his return, and brought to the tower, is confined in the pit for five months. * * *

March 27. Alexander Briant, a priest, was brought from another prison, where he had almost perished with thirst, and loaded with the heaviest shackles. Then needles were thrust under his nails, with the hope of forcing him to disclose the place in which he had seen father Persons: but he resolutely refused to reveal it.[1]

April 6. The same Briant was cast into the Pit, and, eight days later, was led forth to the rack, on which he was immediately stretched with the greatest cruelty. The next day again, he was twice subjected to the same torture: yet from his own lips, only a little before his martyrdom, I afterwards heard the declaration, that, when his body was extended to the utmost, and his tormentors were ferociously endeavouring to increase the intensity of his sufferings, he was actually insensible of pain.

July 14. John Payne, priest, was taken, through the treachery of one Elliot, on whom he had conferred many benefits. On the same day, John Shert and George Godsalve were apprehended and brought to the tower.

July 22. Edmund Campian, who was betrayed by means of the same Elliot, was conducted in triumph to the tower, bearing in his hat a paper inscribed with the

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[1] [This, however, was only one of many points, on which they sought to extort a confession from Briant. "They demand and press us by torture," says Allen, "where, in whose houses, what days and times we say or hear mass, how many we have reconciled, what we have heard in confession, who resorteth to our preachings, who harboureth catholics and priests, who sustaineth, aideth, or comforteth them, who they be that have their children or pupils in the society or seminaries beyond the seas, where such a jesuit or such a priest is to be found, where catholic books are printed, and by whom and to whom they be uttered in England. * * * * These were the interrogatories, for which the famous confessor, Mr. Briant, was tormented with needles thrust under his nails, &c.—Answer to Eng. Justice, 10, 11.—*T.*]

words CAMPIAN THE SEDITIOUS JESUIT. Together with Campian were brought also Thomas Ford, William Filbie, John Colleton, priests; Edward Yates, Edward Kaines, John Cotton, William Hildesly, Humphrey Kaines, Philip Lowe, John Jacobs, gentlemen; and William Valby and John Mansfield, catholics of inferior condition, who had heard Campian preach.

August 13. William Hartley, a priest, John Stonor and Stephen Brinkley, lay gentlemen, with four servants, printers (John Harris, John Harvey, John Tucker, and John Compton), who were seized with their printing-press, in the house of lady Stonor, were brought to the tower. Compton, however, who was naturally timid, being threatened by his keeper with instant death, unless he would promise to go to church, yielded at the point of the sword, and thus regained his liberty.

August 17. Thomas Pound, a lay gentleman and exemplary confessor, who had passed many years in other prisons, upon account of his religion, was brought to the tower.

August 31. After Campian had been twice secretly tortured on the rack, he was brought, in company with his fellow captives, priests and laymen, and without any previous preparation, to dispute with his adversaries, in the public chapel of the tower. The condition, on which he was permitted to speak, was, that he should produce no argument in support of the catholic faith, but should simply reply to the objections of his opponents. At the request of some noblemen, there were afterwards, I believe, two or three other disputations of the same kind. These, however, were private: for the first had been found to injure the cause of the protestants.

October 31. After his disputations, Campian was again, for the third time, placed on the rack, and treated more cruelly than ever. John Payne also, a priest, was most inhumanly tortured in the same way. * * *

Novemb. 21. William Filbie, who, with several others, had been condemned to death, being observed to be more cheerful and firm than usual, was, in consequence, laden with manacles, which he continued to wear until

his execution. In like manner, Alexander Briant, for shaving the crown of his head, that he might appear at his trial in the character of a priest, and for making a wooden cross which he carried openly to the court, was compelled, for two days, to wear the iron shackles. * * * * *

1582.

Jan. 11. John Hart, a priest, for refusing, after his condemnation, to yield to his persecutors, was confined, for nine days, in the Pit. * * *

Feb. 7. George Haddock and Arthur Pitts, priests, were taken: the latter was placed in the Pit, for five days.

March 5. Anthony Fugatius, a Portuguese gentleman, and a zealous catholic, after two years' imprisonment, and the most cruel rackings, being at the point of death (for he was old and broken by sufferings), was privately removed from the tower on a litter, and, in the course of a few days, yielded his soul to Christ.

March 22. Robert Copley, a lay gentleman, was ordered to be confined in the Pit for seven days. * * *

April 7. Thomas Aldfield, a priest, was taken.

May 19. Stephen Rousham, a priest, and Thomas Burn, a layman, were apprehended and brought to the tower. * * * * *

July 19. William Carter, a printer, after several years' sufferings in other prisons, was removed to the tower.

July 23. Richard Slack, a priest, was taken and loaded with fetters, for twenty-three days, and then confined, for two months, in the Pit.

Aug. 14. John Getter, a lay youth, returning from France, was seized, and committed. Stephen Rousham, a priest, was confined in "Little-Ease," where he remained for eighteen months and thirteen days.

Sept. 1. The fore-mentioned John Getter, after suffering compression in the Scavenger's Daughter, was confined in the Pit for eight days. He was then led to the rack, and cruelly tortured, until he nearly fainted; but, in the midst of his agony, when ready, as it were, to expire, his countenance brightened with joy: he in-

voked the name of Jesus, and laughed his persecutors to scorn. * * * * *

Sept. 20. Ralph Leatherbore, a merchant, arriving from Rouen, was thrown into the tower, for his faith.

Dec. 1. John Hart, priest, already condemned to death, was punished with fetters, for twenty days, because he refused to adopt the opinions of a certain minister, named Reynolds.

1583.

Feb. 16. John Mundyn, a priest, was taken and loaded with iron fetters for twenty days.

June 19. The aforesaid John Hart, for the offence already mentioned, was condemned to the Pit, for forty-four days.

* * * * *

1584.

Jan. 18. William Shelley and Gervaise Pierrepoint, gentlemen, were brought to the tower.

Feb. 2. Robert Nutter, a priest, was taken, and, two days later, was condemned to the pit, where he remained forty-seven days. He wore fetters during forty-three days; and on each of the two days, the fourth and sixth, after his apprehension, suffered compression in the Scavenger's Daughter.

Feb. 4, 5, 10. George Haddock, John Mundyn, James Fenn, Thomas Hemmerford, and John Nutter, priests, having received the sentence of death, the last three were loaded with irons, and confined to the pit, during the six days, which intervened before their execution.

Feb. 13. Thomas Stephenson, a priest, was taken, and compelled to lie, without a bed, on the bare ground, for twenty-seven days. He also wore fetters for thirty-nine days. * * * * *

June 13. Thomas Layton, a lay gentleman, was taken, and cast into the pit.

June 19. Thomas Worthington, a priest, was taken, and confined in the pit, where he remained for two months and three days.[1]

[1] [The following is from a paper, delivered by Topcliffe to the lords of the council, at this time;—"There hath assembled unto the city of London lately,

Aug. 24. Thomas Barnes, a priest, was taken.

Aug. 27. William Aprice, a lay gentleman, was brought to the tower, and immediately cast into the pit, where he was confined twenty-three days.

Sept. 13. Gervase Pierrepoint was liberated on bail, but was again taken and brought to the tower, in the following month.

Sept. 16. William Creighton, S. J., and Patrick Abdy, Scottish priests, contrary to the law of nations, were seized at sea, whilst on their return to Scotland, and cast into prison.

Sept. 24. William Aprice was again condemned to the pit, for forty-eight days.

Octob. 16. William Crumlum was condemned to the pit, for two months and twenty-four days.

Nov. 10. Robert Nutter was again confined in the pit, for two months and fourteen days.

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from all the counties of England, a great number of the most principal seminaries, and seditious priests, bred at Rome and Rheims, who have had their being and continual harbour among some noblemen, gentlemen, and other such, as have been restrained of liberty, and be still; and with such as be, and long have been, recusants. Most of them be guests and hosts, being yet about London.

"Some of them live beyond sea, as Dr. Allen's man, Stordevant; and some out of Scotland, as Holt, the jesuit. Some, captains or soldiers, that have served the earl of Westmoreland; others pensioners to the pope.

"I learn these things by advertisement of such persons, as have been of their society beyond seas; and, hearing there their venomous and cankered intents towards her majesty, and here at home smelling their practices and plots to be answerable, being burthened in conscience, and charged in natural obedience, bewray the haunts of all such as they have learned to be in England, being about the number of three-score. * * * Above twenty seminary priests of reputation and best learning now in London . . . They walk audaciously, disguised, in the streets of London. Their wonted fears and timorousness is turned into mirth and solace among themselves: as though the day of their expectation were not past, or, at the farthest, coming towards.

"My instruments have learned out sundry places of countenance, where sometimes these men meet, and confer together, in the day time; and where they lodge a-nights, having changes of lodging. The chief places of their access be solitary, strong, and stated for the purpose. Of all which, and of my last experience with a few, I think it my duty to lay before your grave consideration,—

"That there is small regard taken in London, or about the city, of these men. About twenty days past, one Thomas Worthington, a notorious seminary priest, did resort hither, a stirrer of sedition, as ever haunted Lancashire, Cheshire, Shropshire, Derbyshire, and Yorkshire.

"One Revel, a seminary priest, his companion: one Humphrey Maxfield, a seminary scholar at Rome and Rheims, a great companion, conveyer, and

1585.

June 4. Patrick Abdy, the Scottish priest, was cast into the Pit for four days.

June 7. William Crumlum was again subjected to the same punishment, for seven days.

June 21. Jasper Haywood, James Bosgrave, and John Hart, all members of the society of Jesus; Christopher Thomson, Arthur Pitts, Robert Nutter, Thomas Stevenson, Richard Slack, Thomas Barnes, Thomas Worthington, and ten other priests, with one layman (for we were in all twenty-one),[1] were unexpectedly, by the queen's order, put on board a vessel, and landed, against our wills, on the coast of Normandy. Shortly after, we were followed by fifty others, who were driven into the same kind of exile: while the punishment of death was denounced against any one of us, who should venture to return to his native country.—Praise be to God!

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intelligencer to and fro, from Worthington; and three boys, to be conveyed beyond seas, to be made priests; stolen from their uncle Worthington and from the bishop of Chester.

"The three men and one of the boys I apprehended at Islington. Worthington was committed to the tower, by the lord treasurer's direction; Revel and Maxfield to the clink; and the boy to the gatehouse.

"Worthington, Maxfield, and Revel were twice examined by Sir Owen Hopton, Dr. Hammond, Mr. Rokeby, and myself: we all agreed that there never did come before us so arrogant, wilful, and obstinate persons." Apud Strype, Annal. iii. 420. Strype has placed this paper in 1586: but the mention of Worthington proves it to have been written two years earlier —*T.*]

[1] [The names of the other ten were, John Colleton, Samuel Coniers, William Cedder, William Warmington, William Hartley, William Dean (Hartley and Dean were afterwards executed in company with Nutter), William Bishop, afterwards bishop of Chalcedon, Richard Norris, William Smith, and Rishton himself. The layman was Henry Orton, with whose answers to the "six questions" the reader is acquainted. I may add that, in the following September, thirty-two other priests, with two laymen, were taken from the different prisons of the metropolis, and banished in a similar manner (Stowe, 709): while twenty-two more, from the gaols in the north, shared the same fate, almost at the same time (Bridgewater, 411). Thus, in the short space of about three months, seventy-seven individuals were driven into exile for their religion.—*T.*]

FOXE'S LIST OF CATHOLICS IMPRISONED IN VARIOUS PLACES,

ANNO 1579.[1]

In the Tower of London.

Dr. Rich, archbishop of Armagh, in Ireland, about 50 years old.
Dr. Thomas Metham, priest, licentiate in divinity, quadragenarius.

In the custody of the bishop of Rochester.

Dr. Thomas Watson, bishop of Lincoln, about 60.

In the custody of the bishop of Ely.

Dr. John Feckenham, late abbot of Westminster, about 60.

In the Fleet, London.

D. Henry Cole, priest, DD. octogenarius.
D. Robert Cook, priest, about 50.
D. Wyndham, LLD. 50.
Ambrose Edmund, nobilis (i. e. gentleman), about 50.
Erasmus Saunders, gentleman.
William Iveson, gentleman, about 50.
—— Cotton, gentleman.

In the Marshalsea, London.

D. Thomas Wood, priest, about 80.
D. Leonard Bilson, priest, about 50.
D. Thomas Cook, monk, about 70.
D. Thomas Bluet, priest, about 40.
D. Christopher Thompson, priest.
D. William Allen, priest, about 70.
Thomas Pound, gentleman.
William Phillips, gentleman, 40.
Peter Carew, gentleman, 30 years old.
Edward Burnel, gentleman, 40.
Richard Webster, schoolmaster.
William Green, layman.
—— Norwich, gentleman.
—— Becket, gentleman.
—— Gray, gentleman.
—— Green, gentleman.

[1] Strype, Annals, ii. Appendix, 132.

In the King's Bench.

D. John Young, priest, DD. 70.
D. Thomas Mirfield, priest, 80.
Francis Tregian, gentleman.
William Sherwood, gentleman.
Richard Holson, gentleman.

In the White Lion, London.

Peter Tichbourne.
John Beckinsale.
John Ludlow.

In the Gatehouse.

D. Ross, priest, 60.
John Gifford, schoolmaster.
John Pinchin and his wife.
Richard Sampson, 40.
John Savage, 20.
D. James Shaw, priest, 60.
D. Thomas Harrison, priest, 50.
John Hughes, 50.
John Geale, 60.
James ——

In the Compter.

Henry Creed, 60.
Gregory Owinele (O'Neal?), schoolmaster, 40.
Elizabeth Johnson, left by her husband, a gentlewoman, with her servant Leonard.

In the prison of Northampton.

D. Francis Stopford, priest, 60.
Thomas Mudd, 50.
D. Stephen Hemsworth, priest, 60.
John Thackaray.
William Justice, with his wife.

At Winton.

D. Thomas Palmer, priest, 80.
Thomas Travers, 80.
Thomas White, gentleman, 33.
—— Herman
—— Way
—— Berkinsale } widows, whose husbands died in prison.
—— Green

In the prison at Hull.

John Cumberford, priest, DD., 80.
D. Wright, priest, BD., 40.
D. Thomas Bedell, priest, 60.
D. John Almond, priest, 70.
D. Robert Williamson, priest, 60.
John Terry, schoolmaster, 40.
Francis Parkinson, layman, 40.
John Fletcher, layman.
William Tesmond.
Seven others.

At Hersham (Horsham?)

Robert Boughwater, 80.

At Hereford.

D. Thomas Feasard, priest, 60.
D. William Basset, priest, 60.
John Green, William Smith } of the laity.

At Cornwall.

Richard Tremain, gentleman, 30.
Thomas Harrison, schoolmaster, 45.
John Kemp, gentleman, 40.
Richard ——, gentleman.
John Williams, A.M., 35.
John Philips, 30.
James Humphrey, 30.
Henry Benfield, gentleman, 40.
John Hody, layman.

At West Chester.

D. Richard Sutton, priest, 80.
D. John Cuppage, priest, 60, with
Some others.

A list of the secular priests, who suffered death, during the reign of Elizabeth, either for their sacerdotal character only, or for exercising the functions of the priesthood.

1581.

Everard Hanse, -	executed at	Tyburn - -	July 31.

1582.

Richard Kirkman, William Lacy - - -		York - -	August 22.
James Thompson - - -		York - -	Nov. 28.

	1583.		
William Hart	Executed at York		March 15.
Richard Thirkill	York		May 29.
	1584.		
Thomas Hemerford, James Fenn, John Nutter, George Haydock, John Munden	Tyburn		Feb. 12.
	1585.		
Hugh Taylor	York		Nov. 26.
	1586.		
Edward Transham, or Stransham, Nicholas Woodfen, alias Wheeler[1]	Tyburn		Jan. 21.
Richard Sarjeant, William Thompson	Tyburn		April 20.
Robert Anderton, William Marsden	Isle of Wight		April 25.
Francis Ingleby	York		June 3.
John Finglow	York		August 8.
John Sandys	Gloucester		August 11.
John Adams, Richard Dibdale, John Low	Tyburn		Oct. 8.
	1587.		
Thomas Pilchard	Dorchester		March 21.
Edmund Sykes	York		March 23.
Robert Sutton	Stafford		March or July.
Stephen Rousham	Gloucester		March or July.
John Hambley	Chard, or York,		July 20, or Sep. 9.
Alexander Crow	York		Nov. 30.
	1588.		
Nicholas Garlick, Robert Ludlam, Richard Sympson	Derby		July 24.
William Dean	Mile-end Green		Aug. 28.
William Gunter	London Theatre		
Robert Morton	Lincoln's Inn Fields		
Thomas Holford, alias Acton[2]	Clerkenwell		
James Claxton, or Clarkson	Hounslow		

[1] [Transham and Woodfen are mentioned by Stowe (718), under the names of Edmund Barber, and Nicholas Devereux. Hence Dodd has been led to suppose that the latter were distinct persons from the former: but Dr. Challoner has clearly shewn their identity.— Miss. Priests, i. 176—178.—*T.*]

[2] [Dodd, in consequence of the two names, has made two persons of Holford.—*T.*]

Richard Leigh	Executed at	Tyburn	Aug. 30.
William Way, alias Wigg —— Flower	-	Kingston	Sep. 23.
Robert Wilcox Edward Campian Christopher Buxton	-	Canterbury	Oct. 1.
Ralph Crocket Edward James	-	Chichester	Oct. 1.
John Robinson	-	Ipswich	Oct. 1.
William Hartley	-	London Theatre	Oct. 5.
John Weldon	-	Mile-end Green	
Richard Williams	-	Holloway	
John Hewit	-	York	
Edward Burden	-	York	Nov. 29.
1589.			
John Amias Robert Dalby	-	York	Mar. 16.
George Nichols Richard Yaxley	-	Oxford	July 5.
William Spencer	-	York	Sept. 24.
1590.			
Christopher Bayles	-	Fleet Street	March 4.
Miles Gerard Francis Dicconson	-	Rochester	April 30.
Edward Jones	-	Fleet Street	May 6.
Anthony Middleton	-	Clerkenwell	
Edmund Duke Richard Hill John Hog Richard Holiday	-	Durham	May 27.
1591.			
Robert Thorpe	-	York	May 31.
Monford Scot [1] George Beeseley	-	Fleet Street	July 2.
Roger Dicconson	-	Winchester	July 7.
Edmund Gennings	-	Gray's Inn Fields	Dec. 10.
Eustachius White	-	Tyburn	
Polydore Plasden [2]	-	Tyburn	

[1] [Dodd, dividing these two names, supposes them to belong to two persons, one Monford, the other Scot.—*T.*]

[2] [Stowe (764) calls Plasden by the name of Blaston: and Dodd, by mistake, inserts both, as belonging to different persons.—*T.*]

	1592.		
William Pattenson -	Executed at Tyburn -	-	Jan. 22.
Thomas Pormort, or Portmore	- St. Paul's Ch. Yd.		Feb. 20.
	1593.		
Edward Waterson - -	- Newcastle	-	Jan. 7.
Anthony Page - -	- York -	-	April 20.
Joseph Lampton - -	- Newcastle	-	July 27.
William Davies - -	- Beaumaris		
	1594.		
William Harrington -	- Tyburn -	-	Feb. 18.
John Bost - -	- Durham -	-	July 24.
John Ingram - -	- Newcastle	-	July 25.
Edward Osbaldeston -	- York -	-	Nov. 16.
	1595.		
Alexander Rawlins - -	- York -	-	April 7.
William Freeman - -	- Warwick	-	August 13.
	1597.		
William Andleby - -	- York -	-	July 4.
Thomas Clifton - -	- Tyburn		
	1598.		
Peter Snow - -	- York -	-	June 15.
Christopher Robinson -	- Carlisle -	-	August 19.
Richard Horner - -	- York -	-	Sept. 4.
	1599.		
Matthias Harrison - -	- York.		
	1600.		
Christopher Wharton -	- York -	-	March 28.
Thomas Sprot, Thomas Hunt -	- Lincoln -	-	July
Robert Nutter, Edward Thwing -	- Lancaster	-	July 26.
Thomas Palasor - -	- Durham -	-	August 9.
	1601.		
John Pibush - -	- St. Thos. Watering		Feb. 18.
Thurstan Hunt, Robert Middleton -	- Lancaster	-	March
	1602.		
James Harrison - -	- York -	-	March 22.
Thomas Tichbourne, Robert Watkinson -	- Tyburn -	-	April 20.

1603.

William Richardson, alias Anderson Tyburn - - Feb. 17.

Total, 104.

List of Regulars executed for the same cause.

John Cornelius, S. J. executed at - Dorchester - July 4, 1594.
Robert Southwell, S. J. - - Tyburn - Feb. 21, 1595.
Henry Walpole, S. J. - - York - April 7, 1595.
John Buckley, O. S. F. executed at St. Thos's. Watering, July 12, 1598.
Roger Filcock, S. J.
Mark Barkworth, O. S. B. } - Tyburn - Feb. 27, 1601.
Francis Page, S. J. - - Tyburn - April, 20, 1602.

Total 7.

List of clergy executed, either for denying the queen's supremacy, or for persuading her subjects to embrace the catholic religion.

Thomas Woodhouse, executed at - Tyburn - June 19, 1573.
Cuthbert Maine - - - Launceston - Nov. 29, 1577.
John Nelson - - - Tyburn - Feb. 3, 1578.
James Bell - - - Lancaster - April 20, 1584.
Thomas Alfield - - - Tyburn - July 6, 1585.
George Douglas - - - York - Sept. 9, 1587.

Total 6.

List of clergy executed for the pretended plot at Rheims and Rome.

Edmund Campian, S. J.
Ralph Sherwine
Alexander Briant, S. J. } - - Tyburn - Dec. 1, 1581.
John Paine - - - Chelmsford - April 2, 1582.
Thomas Ford
John Shert,
Robert Johnson } - - - Tyburn - May 28, 1582.
William Filbie
Luke Kirby
Laurence Richardson
Thomas Cottam } - - Tyburn - May 30, 1582.

Total 11.

Total of clergy executed for religious matters, from 1573 to 1603, one hundred and twenty-eight.

List of persons executed, either for being reconciled to the catholic church, or for harbouring and assisting priests.

1584.

Richard White, schoolmaster, executed at	Wrexham	Oct. 17.

1585.

Marmaduke Bowes, gentleman	York	Nov. 26.

1586.

Margaret Clithero, gentlewoman	York	March 26.
Robert Bickerdike, gentleman	York	Oct. 8.
Richard Langley, Esq.	York	Dec. 1.

1588.

Henry Webley, yeoman	Mile-end Green	
Hugh Moor, gentleman	Lincoln's Inn Fields,	Aug. 28.
Thomas Felton, gentleman	Hounslow	
Edward Shelley, gentleman Richard Martin, yeoman Richard Flower, yeoman John Roch, yeoman Margaret Ward, gentlewoman	Tyburn	Aug. 30.
Robert Widmerpool, gentleman	Canterbury	Sept.
Robert Sutton, schoolmaster	Clerkenwell	October 5.
William Lampley, yeoman	Gloucester	

1589.

Thomas Belson, gentleman Humphrey Prichard, serving-man	Oxford	July 5.
Robert Hardesty, yeoman	York	Sept. 24.

1590.

Nicholas Horner, yeoman	Smithfield	
Alexander Blake, yeoman	Gray's Inn Lane	March 4.

1591.

Thomas Watkinson, yeoman	York	May 31.
Ralph Milner, yeoman	Winchester	July 7.
William Pikes, yeoman	Dorchester	
Swithin Wells, gentleman	Gray's Inn Fields	Dec. 10.
Brian Lacy, gentleman John Mason Sydney Hodgson	Tyburn	Dec. 10.

1593.		
James Bird, gentleman, executed at	Winchester -	March 25.
1594.		
John Speed - - -	Durham - -	Feb. 4.
Thomas Bosgrave, gentleman John, or Terence Carey, serving-man Patrick Salmon, serving-man	Dorchester -	July 4.
Geo. Swallowell, converted minister	Darlington -	July 26.
1595.		
James Atkinson - -		
1596.		
George Errington, gentleman William Knight, yeoman William Gibson, yeoman Henry Abbot, yeoman[1]	York - -	Nov. 29.
1597.		
Thomas Warcop, gentleman Edward Fulthrop, gentleman	York - -	June 15.
1598.		
Ralph Grimstone, gentleman -	York - -	July 4.
1600.		
John Rigby, gentleman - -	St. Thos. Watering	June 21.
John Norton, gentleman John Talbot, gentleman	Durham - -	Aug. 9.
1601.		
Anne Line, gentlewoman - -	Tyburn - -	Feb. 27.
1602.		
Anthony Battie, or Bates, gentleman,	York - -	March 22.
James Ducket, bookseller - -	Tyburn - -	April 19.
Total 48.		

[1] [Strictly speaking, these four persons do not belong to the class above described. Whilst imprisoned in York Castle, as recusants, the first three were applied to by a minister, who, feigning a wish to be reconciled, requested to be introduced to a priest. The parties applied to referred him to Abbot; Abbot took him to Mr. Stapleton's, at Carlton; and the traitor immediately charged all the individuals concerned with an attempt to withdraw him from the reformed communion, to that of the Roman church. For this offence they were executed. At the same time, and for participating in the same transaction, two ladies also, Mrs. Anne Tesse, and Mrs. Briget Maskew, were condemned to be burnt. A reprieve, however, was afterwards obtained: but they continued in prison, until released in the following reign.—Challoner, i. 353, 354.—*T.*]

List of persons executed for other causes connected solely with religion.

	1583.	
John Slade, schoolmaster	Winchester	Oct. 30.
John Body, M.A.,	Andover	Nov. 2.
	1584.	
John Finch, layman	Lancaster	April 20.
	1585.	
Thomas Webley, layman	Tyburn	July 6.
	1591.	
Laurence Humphreys, layman	Winchester	
	1592.	
Robert Ashton, gentleman	Tyburn	June 23.
	1598.	
John Britton, gentleman	York	April 1.
	1599.	
John Lyon, yeoman	Okeham	July 16.
James Doudal, merchant	Exeter	Aug. 13.
	1601.	
Nicholas Tichbourne, gentleman Thomas Hackshot, layman	Tyburn	Aug. 24.

Total 11.

Total number of laity, executed for religion, fifty-nine.

List of persons who perished in prison, for religion.

Mrs. Ann Foster,[1] died in prison at York, before the year 1580.

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[1] [On her death-bed she had caused her confessor, father Derbyshire, who was her fellow-prisoner, to draw up a paper, stating that she died in the catholic faith; that she had received all the sacraments and assistance of the church; and that her "last will and testament was, that no minister, nor other such person should have anything to do with her dead body." This paper, by her own desire, was placed in her hand, after her death. Here it was found by the attendants of the gaol; and by them was shewn to the minister of the parish. The latter immediately "put the whole city in an uproar." He "complained to the queen's council, and to the earl of Huntingdon, a puritan, and the queen's president in that city: he complained also to the archbishop, and the dean and chapter; and not only so, but most inhumanly caused the dead corse to be brought out of prison, and laid openly on the bridge, in the common street, for all the world to gaze and wonder at." Meanwhile, the council,

	1580.	
William Tyrwit, gentleman	-	The Tower.
John Cooper, gentleman -	-	The Tower.
—— Dymoke, champion of England		
Christopher Watson, gentleman Twenty others, whose names are not recorded		York.
	1583.	
William Chaplain, priest.		
	1584.	
Thomas Cotesmore, priest Robert Holmes, priest James Lomax, priest Roger Wakeman, priest	-	Newgate.
	1585.	
Thomas Crowther, priest -	-	The Marshalsea.
Feckenham, abbot of Westminster	-	Wisbeach.
John Jetter, priest - -	-	———
Edward Poole, priest -	-	———
Laurence Vaux, canon regular	-	The Gatehouse.
	1586.	
John Harrison, priest -	-	———
	1587.	
Martin Sherton, priest		———
Gabriel Thimbleby, gentleman	-	———

alarmed by the "bold and traitorous act" of the deceased lady, hastily assembled. Some proposed to bury the corpse in the nearest dunghill: others suggested the propriety of casting it into the Ouse; while all agreed in summoning Foster, the husband of the deceased, and charging him with the guilt of his wife's action. Foster replied, that he was not present at her death, and could not, therefore, be made answerable for her conduct. At the same time, he said, they should remember that, whatever that conduct might have been, she was but a woman: she was now dead, and could never again offend. Moreover, he was her husband. He was bound by the law of God to love, to honour, and to protect her; and he, therefore, humbly implored their honours to pause in their decision, to refrain from dishonouring her dead body, and to permit him, as "the last and least thing he could do for her," to commit it uninjured to the earth. To this appeal the more unfeeling members of the council would have replied, by instantly ordering Foster into custody, as a suspected papist. He was not, however, without friends at the board. By their influence he was rescued from the impending danger; and, after many entreaties, was at length allowed "to bury her where he would," so that it was "without any other solemnity, than only to put her in the grave." She was interred in the church of St. Cross, at York, in the same grave with the late earl of Northumberland.—Account of the Nuns of Syon, cap. 3.—MS. belonging to the earl of Shrewsbury.—*T.*]

1592.

Thomas Metham, priest, S. J. - Wisbeach.

1595.

Philip Howard, earl of Arundel - The Tower

1602.

Mrs. Wells, gentlewoman - - Newgate.
Richard Shelley, Esq. - - The Marshalsea.

Total 42.

Total of executions here recorded, one hundred and eighty-seven.
Total of deaths in prison - - forty-two.

APPENDIX.

[It has been suggested to me that I ought to distinguish such papers as were not printed in the former edition of this work. In the first volume, the articles of the Appendix numbered xiv. xx. xxx. xxxi. xxxvii. xlii. xliv. xlvi. xlvii. and xlviii., are of this description: in the second volume, a great part of each of the numbers i. ix. xxii. xxix. xxx. and lix., and the whole of the articles iii. iv. v. viii. xvi. xvii. xviii. xix. xx. xxi. xxiii. xxiv. xxvi. xxvii. xxviii. xxxi. xxxii. xxxiii. xxxvi. xxxvii. xxxviii. xli. xlv. xlvi. xlviii. xlix. l. li. lvii. lviii. lx. and lxii., are additional. In future all such papers will be distinguished by asterisks.—*T.*]

No. I.—(*Referred to at page* 8.)

*** *Proclamation of the Northern Insurgents.* *Nov.* 1569.

[Strype, Annals, i. 584.]

Whereas it hath been, by the sinister and wicked reports of sundry malicious persons, enemies both to God's word and the public estate of this commonwealth, devised and published, that the assembly of these noblemen, the earls of Northumberland and Westmoreland, with sundry of the greatest worship and credit in this part of the realm, is and hath been to the overthrow of the commonwealth and the crown, it was, therefore, thought good to the earls and their council, to signify to all and every the queen's majesty's subjects, the true and sincere meaning of the said earls, their friends and allies.

Know ye, therefore, that, where of late it hath been faithfully and deliberately considered and devised, by the right high and mighty prince, Thomas, duke of Norfolk, Henry, earl of Arundel, William, earl of Pembroke, together with the said earls of Northumberland and Westmoreland, and divers others of the ancient nobility of this realm, with a common consent of sundry the principal favourers of God's word (and the same, as well for the avoiding of bloodshed and utter subversion of the commonwealth, as the reforming of certain disorders crept in by the abuse and malicious practices of sundry wicked and evil disposed persons), to make manifest and known to all manner of

men, to whom of meer right the true succession of the crown appertaineth, dangerously and uncertainly depending, by reason of many titles and interests pretended to the same: the which godly, good, and honourable meaning of the said nobility hath been sought, by all manner of means, to be prevented by certain common enemies of this realm about the queen's person, by whose sinister and detestable counsel and practice, well known to us, and to the rest of the nobility, their lives and liberties are now endangered, and daily devises made to apprehend our bodies, the true remain of their virtuous counsel and intent; the which their unjust and ambitious policies and practices can by no submission on our parts be avoided, but only by the sword:

We have, therefore, of just and faithful meaning to the queen's majesty, her commonwealth, and the true successors of the same, assembled ourselves, to resist force by force; wherein we commit ourselves (seeing no intercession will help) to the exceeding mercy and goodness of God, and to all true favourers of this realm of England, resolved in ourselves, in this so just and godly enterprise, wholly to adventure lives, lands, and goods: whereunto we heartily crave the true aid and assistance of all faithful favourers of the quietness of the commonwealth, and the ancient nobility of the same.

God save the queen and the nobility.

No. II.—(*Referred to at page* 12.)

S. D. N. Pii Papæ V. *Sententia Declaratoria contra Elizabetham, prætensam Angliæ reginam, et ei adhærentes hæreticos, &c. Feb.* 25, 1569.

[Sanders, De Schism. Angl. 368.]

Pius Episcopus, Servus Servorum Dei, ad futuram rei memoriam.

Regnans in excelsis, cui data est omnis in cœlo et in terrâ potestas, unam sanctam catholicam et apostolicam ecclesiam, extra quam nulla est salus, uni soli in terris, videlicet, apostolorum principi Petro, Petrique successori Romano pontifici, in potestatis plenitudine tradidit gubernandam. Hunc unum super omnes gentes et omnia regna principem constituit, qui evellat, destruat, dissipet, disperdat, plantet, et ædificet; ut fidelem populum, mutuæ charitatis nexu constrictum, in unitate spiritûs contineat, salvumque et incolumem suo exhibeat salvatori. Quo quidem in munere obeundo, nos, ad prædictæ ecclesiæ gubernacula Dei benignitate vocati, nullum laborem intermittimus, omni operâ contendentes ut ipsa unitas et catholica religio (quam illius auctor ad probandam suorum fidem, et correctionem nostram, tantis procellis conflictari permisit) integra conservetur. Sed impiorum numerus tantum potentiâ

invaluit, ut nullus jam in orbe locus sit relictus, quem illi pessimis doctrinis corrumpere non tentarint; adnitente, inter cæteros, flagitiorum servâ Elizabethâ, prætensâ Angliæ reginâ, ad quam, veluti ad asylum, omnium infestissimi profugium invenerunt. Hæc eadem, regno occupato, supremi ecclesiæ capitis locum in omni Angliâ, ejusque præcipuam auctoritatem atque jurisdictionem monstrosè sibi usurpans, regnum ipsum, jam tum ad fidem catholicam et bonam frugem reductum, rursùs in miserum exitium revocavit. Usu namque veræ religionis, quam, ab illius desertore Henrico octavo olim eversam, claræ memoriæ Maria regina legitima hujus sedis præsidio reparaverat, potenti manu inhibito, secutisque et amplexis hæreticorum erroribus, regium consilium, ex Anglicâ nobilitate confectum, diremit, illudque obscuris hominibus hæreticis complevit; catholicæ fidei cultores oppressit; improbos concionatores atque impietatum administros reposuit; missæ sacrificium, preces, jejunia, ciborum delectum, cœlibatum, ritusque catholicos abolevit; libros, manifestam hæresim continentes, toto regno proponi, impia mysteria et instituta ad Calvini præscriptum, à se suscepta et observata, etiam à subditis servari mandavit; episcopos, ecclesiarum rectores, et alios sacerdotes catholicos suis ecclesiis et beneficiis ejicere, ac de illis et aliis rebus ecclesiasticis in hæreticos disponere, deque ecclesiæ causis decernere ausa; prælatis, clero, et populo ne Romanam ecclesiam agnoscerent, neve ejus præceptis sanctionibusque canonicis obtemperarent, interdixit; plerosque in nefarias leges suas venire, et Romani pontificis auctoritatem atque obedientiam abjurare, seque solam in temporalibus et spiritualibus dominam agnoscere, jurejurando coëgit; pœnas et supplicia in eos qui dicto non essent audientes imposuit, easdemque ab iis qui in unitate fidei et prædictâ obedientiâ perseverarunt, exegit; catholicos antistites, et ecclesiarum rectores in vincula conjecit, ubi multi, diuturno languore et tristitiâ confecti, extremum vitæ diem miserè finierunt.

Quæ omnia cùm apud omnes nationes perspicua et notiora sint, et gravissimo quamplurimorum testimonio ita comprobata, ut nullus omninò locus excusationis, defensionis, aut tergiversationis relinquatur, Nos, multiplicantibus aliis atque aliis super alias impietatibus et facinoribus, et prætereà fidelium persecutione, religionisque afflictione, impulsu et operâ dictæ Elizabethæ, quotidie magis ingravescente; quoniam illius animum ita obfirmatum atque induratum intelligimus, ut non modò pias catholicorum principum de sanitate et conversione preces monitionesque contempserit, sed ne hujus quidem sedis ad ipsam hac de causâ nuncios in Angliam trajicere permiserit, ad arma justitiæ contra eam de necessitate conversi, dolorem lenire non possumus, quòd adducamur in unam animadvertere, cujus majores de republicâ christianâ

tantoperè meruere. Illius itaque auctoritate suffulti, qui nos in hoc supremo justitiæ throno, licet tanto oneri impares, voluit collocare, de apostolicæ potestatis plenitudine declaramus prædictam Elizabetham hæreticam, et hæreticorum fautricem, eique adhærentes in prædictis anathematis sententiam incurrisse, esseque à Christi corporis unitate præcisos: quinetiam ipsam prætenso regni prædicti jure, necnon omni et quocumque dominio, dignitate, privilegioque privatam: et item proceres, subditos, et populos dicti regni, ac cæteros omnes qui illi quomodocumque juraverunt, a juramento hujusmodi, ac omni prorsùs dominii, fidelitatis, et obsequii debito perpetuò absolutos, proùt nos illos præsentium auctoritate absolvimus: et privamus eandem Elizabetham prætenso jure regni, aliisque omnibus supradictis: præcipimusque et interdicimus universis et singulis proceribus, subditis, populis, et aliis prædictis, ne illi, ejusve monitis, mandatis, etlegibus audeant obedire. Qui secùs egerint eos simili anathematis sententiâ innodamus. Quia verò difficile nimis esset præsentes quocumque illis opus erit perferre, volumus ut earum exempla, notarii publici manu, et prælati ecclesiastici, ejusve curiæ, sigillo obsignata, eandem prorsus fidem, in judicio et extra illud, ubique gentium faciant, quam ipsæ præsentes facerent, si essent exhibitæ vel ostensæ. Datum Romæ, apud S. Petrum, anno incarnationis Dominicæ millesimo quingentesimo sexagesimo nono, quinto Calend. Martii, pontificatûs nostri anno quinto.

Cæs. Glorierius,
H. Cumyn.

No. III.—(*Referred to at page* 13.)

The Articles ministered to the Priests and others condemned with them, with the answers of these to the same. May 13, 1582.

[Brief Hist. of Martyrd. of xii. reverend priests, &c. 95 et seq.]

1. Whether the Bull of Pius V. against the queen's majesty be a lawful sentence, and ought to be obeyed by the subjects of England?

2. Whether the queen's majesty be a lawful queen and ought to be obeyed by the subjects of England, notwithstanding the bull of Pius V. or any other bull or sentence that the pope hath pronounced, or may pronounce, against her majesty?

3. Whether the pope have, or had, power to authorise the earls of Northumberland, Westmoreland, and other her majesty's subjects, to rebel, or take arms, against her majesty, or to authorise Dr. Sanders or others to invade Ireland, or any other her dominions, and to bear arms against her, and whether they did therein lawfully, or not?

4. Whether the pope hath power to discharge any of her highness's subjects, or the subjects of any christian prince, from their alle-

giance, or oath of obedience to her majesty, or to their prince, for any cause?

5. Whether the said Dr. Sanders, in his book of the Visible Monarchy of the Church, and Dr. Bristowe, in his book of Motives, writing in allowance, commendation, and confirmation of the said bull of Pius V., have therein taught, testified, or maintained a truth, or a falsehood?

6. If the pope do, by his bull or sentence, pronounce her majesty to be deprived, and no lawful queen, and her subjects to be discharged of their allegiance and obedience unto her, and, after, the pope, or any other by his appointment and authority, do invade this realm, which part would you take, or which part ought a good subject of England to take?

*** *The publication, by the authority of Government, of the Six Questions on the Pope's deposing power, and the answers of the twelve priests to them.*

A particular Declaration or Testimony, of the undutifull and traiterous affection borne against her Majestie by Edmond Campion, jesuite, and other condemned priestes, witnessed by their owne confessions: in reproofe of those slanderous bookes and libels delivered out to the contrary by such as are malitiously affected towards her Majestie and the State.

Published by authoritie. Imprinted at London by Christopher Barker, printer to the Queen's most excellent Majestie, An. Do. 1582. *Motto,* 1 *Peter* ii. 13. *Submit, &c.*

To all her Majestie's good and faithfull subjects.

Although the course of proceeding in the late inditement, arraignement, tryall, judgement, and execution of Edmond Campion and others, being as well upon sundrie of their writings, letters, and confessions, as also upon other good and manifest proves, found guilty of high treason, was such, as ought in trueth and reason to satisfie all indifferent persons and well-affected subjectes, to whome her majestie's merciful and gratious inclinations towards offenders is so well knowen; yet it hath bene found that some disloyall and unnaturall subjects have untruely spread abroad sundry rumours and reportes, and have published divers slanderous pamphlets and seditious libels, as well in this realme, as in foraine partes, in sundry strange languages, in excuse and justification of the said traytours so justly executed, with purpose to defame her majestie's honorable course of justice, so much as lieth in them, setting out those condemned persons as men of singular vertue and holiness, and as her highnesse's true, loyal, devote, and obedient subjects, and in noweis

spotted with any staine of ill-disposed affection towards her majestie, being not otherwise to be charged, then with certaine points of religion that concerneth only matters of conscience, that were no way prejudicial to her majestie's state and government, with divers like untruthes, which are ment shall bee hereafter answered more at large, whereby both the malice of the writers may be made knowen to the worlde, and her majestie's most mercifull and gratious government may bee preserved from the malice of such unnaturall and undutifull subjects. In the meantime, notwithstanding the lords and others of her majestie's most honourable privie counsell, being desirous that the dutifull subjectes may bee preserved from the undermyning of such seditious slanderers, whereby otherwise they might happely by such wicked illusions be carried into some hard conceites, touching the due and lawfull proceeding against the sayde traytours: have found it very expedient, that as well certaine confessions taken of the said Campion and others before his arraignement, as also certaine answeres lately made to certaine articles propounded to those that were at the same time condemned of high treason, but yet spared from execution, should bee published truely and sincerely, in such precise forme of words, as the same have bene acknowledged and subscribed, not onely with the proper hands of certaine persons of publique calling and credite that were present at their examination, and have subscribed thereunto, but also with the proper hands of the offenders themselves (Harte only excepted), as appeareth by the originals extant to be shewed; whereby it may be most evidently seene even by themselves still persisting in their most trayterous affection, how untruely the said persons are reported to have been, and to bee true and faithfull subjects in matter of her majestie's estate and crowne, and howe justly they were condemned for treason, and not for points of religion, being those, that having bene by her majestie's clemencie so long spared upon hope of repentance, continue yet still in such trayterous disposition of heart towards her highnesse, two of them only nowe acknowledging their true duetie of allegiance, though in pointes of religion not reconciled, as also one other, named Edward Rishton, that did before, openly at the barre, at the time of his arraignement (varying from Campion and the rest of his fellowes therein), acknowledge his said duetie and allegiance to her majestie: towards whom (to thend it may appeare unto the worlde that the said Campion and the rest that were executed, were not put to death for points that concerneth matters of conscience, but for treason) her majestie doth meane to extend her grace and mercie, hoping that as it hath pleased God to frame their consciences to acknowledge towards her that duetie of allegiance, that by the lawes of God and man they owe unto her as their most lawful

prince and soveraigne, so he will hereafter open their eyes to see howe dangerously they have bene hitherto, through false and erronious doctrine, seduced, as well in matters concerning their dutie towards God, as in their allegiance towards their prince. It is also looked for, that all such as make profession to bee dutifull and well-affected subjects, howsoever they be affected in religion, seeing the most dangerous and pernicious opinions that are helde and maintained by these jesuites and seminary men sent into this realme, will hereafter, as wel in respect of the duety they owe unto her majestie, as for the care they ought to have, as good members of this realme, to preserve the tranquilitie thereof, as a thing that importeth every man's particular duety, not only refuse to receive and harborough such disloyall persons, but also doe their uttermost indevour to apprehend them, and to present them to justice, whereby they may receive such condigne punishment as is meete to bee inflicted upon disturbers of the publike peace in realmes and kingdomes.

The address is here followed by the ensuing extracts from the works of Sanders and Bristowe:—

Sanders de Visibili Monarchia, lib. 7, p. 730.

Sanders reporteth, that in the yeere 1569, Pius quintus Pontifex Maximus, the pope sent Nicholas Morton, Englishman, doctor of divinitie, into England, to admonish certaine catholique noblemen, Elizabetham quæ tunc rerum potiebatur, hæreticam esse: ob eamque causam omni dominio et potestate, quam in catholicos usurpabat, jure ipso excidisse, impunèque ab illis velut ethnicam et publicanam haberi posse, nec eos illius legibus aut mandatis deinceps obedire cogi. Which is to say, that Elizabeth, which then governed, was an hereticke, and for that cause hath by very law lost all dominion and power which she usurped over the catholiques, and may freely be accompted by them as a heathen and publicane, and that they are not from thenceforth bounde to obey her lawes or commandements.

Whereupon he sayth, that many noble men adventured to deliver their brethren, ab hereticorum tyrannide, from the tyrannie of the heretiques. And although things fell not out to their expectation, yet he saveth, Illorum nobilium laudanda consilia erant, quæ certo suo, eoque felici successu non caruerunt. Quanquam enim omnium fratrum suorum animas e schismatis puteo educere non potuerunt, tamen et ipsi fidem catholicam egregiè confessi sunt, et multi eorum animas pro fratribus (qui summus est charitatis gradus) posuerunt, et reliqui seipsos, tum ex hæreseos, tum ex peccati servitute in libertatem vendicarunt eam, qua Christus nos liberavit. That is to say, the purposes or endevors of these noblemen were to be praysed, which wanted not their

certaine and happy successe. For though they were not able to drawe the soules of all their brethren out of the pit of schisme, yet both they themselves nobly confessed the catholique faith, and many of them gave their lives for their brethren, which is the highest degree of charitie, and the rest of them reskued themselves from the bondage both of schisme and of sinne, into that freedom, wherewith Christ hath made us free.

Bristowe, in his Booke of Motives, published with allowance of Dr. Allen, in the 15th motive, fol. 72, c. 73.

For a full answere to them all, although the very naming of our catholique martyrs, even of this our time, to any reasonable man may suffice, as the bishop of Rochester, sir Thomas Moore, the monks of the Charterhouse, with many more under king Henry: and now of late time, all our holy martyrs that have been and dayly are made, by losse of their livings, by poyson, by whipping, by famishing, by banishment, bishops, priests, deanes, archdeacons, canons, ecclesiasticall persons of all sortes, knightes, esquires, gentlemen, laymen of all sortes; so many likewise that have openly suffered, the good earl of Northumberland, D. Storie, Felton, the Nortons, M. Woodhouse, M. Plumtree, and so many hundreths of the northernmen: such men, both in their life and at their death, as neither the enemies have to stayne them, as their owne consciences, their owne talke, and the worlde itselfe doeth beare good witnesse: many of them, also, and therefore all of them (because of their owne cause), being by God himselfe approved by miracles most undoubted. Although, I saye, no reasonable man will thinke those stinking martyrs of the heretiques worthy in any respect to be compared with these most glorious martyrs of the catholiques, yet supposing, &c.

Sanders, lib. 7, p. 732.

Speaking of the northern commotion, he saith, Certè quidem illud miraculo imputetur necesse est, quòd cum viri fere quingenti ex iis, qui arma pro fide sumpserunt, ab hæreticis capti, et morte affecti essent, nemo illorum repertus sit, qui aut fidem catholicam deseruerit, aut belli ejus authores alicujus culpæ accusarit. That is to say, Verely, this must needs be imputed to a miracle, that whereas nere five hundred men of those, that tooke armes for the faith, were taken and put to death by the heretiques, yet there hath not bene founde any one of them, which hath either forsaken the catholique faith, or hath accused of any blame the authors of that warre.

And a little after, Nobile etiam martyrium in eâdem causâ subierunt duo viri nobiles de familiâ Nortonorum, ex quibus alter dicebatur Thomas Nortonus, alter verò Christopherus, et Christopherus quidem Thomæ nepos erat ex fratre, ille autem huic patruus. Qui ambo nec

a fide suâ dimoveri, nec ut Elizabetham confiterentur legitimam reginam adduci potuerunt, &c. That is to say, There suffered also a noble martyrdom in the same cause, two worshipful gentlemen of ye house of Nortons, of whome the one was called Thomas Norton, the other Christopher, and Christopher was Thomas his brother's sonne, and Thomas was Christopher's uncle, which both could neither be removed from their faith, nor be brought to confesse Elizabeth to be lawfull queene.

Here follows another extract from Sanders, reciting the bull of Pius V., with which the reader is already acquainted. The document then proceeds:

Bristowe in his 6th Motive, fol. 31.

Whereby it is manifest, that they do miserably forget themselves, who feare not excommunications of Pius quintus of holy memory, in whome, Christ himselfe to have spoken and excommunicated as in St. Paul, they might consider by the miracles that Christ by him as by Saint Paul did worke.

In his 40th Motive, under the title, Obedient Subjectes.

And if at any time it happen, after long toleration, humble beseeching, and often admonition of very wicked and notorious apostates and heretiques, no other hope of amendement appearing, but the filthie daily more and more defiling himselfe and others, to the huge great heape of their owne damnation, that after all this soveraigne authoritie of our common pastor in religion, for the saving of soules, do duely discharge us from subjection, and the prince offender from his dominion; with such griefe of the heart it is both done of the pastor and taken of the people, as if a man should have cut off from his bodie, for to save the whole, some most principall but rotten part thereof.

Sanders, lib. 7. *fol.* 744.

Under this title, Insigne martyrium Johannis Feltoni,—The honourable martyrdome of John Felton, &c., he sayth of Felton in this manner:—Is enim, catholicæ fidei studio zeloque adductus, cùm penè desperatam patriæ suæ valetudinem non nisi acerbissima aliqua medicina restitui posse animadverteret, noluit committere ut hæc sententia summi pastoris cives ac proximos suos lateret. That is to say, For he, led with the love and zeale of the catholique faith, when he saw, that the (in a maner) desperate health of his countrey could not be restored, but by some most bitter medicine, would not suffer that this sentence of the soveraigne pastors should be hidden from his countreymen and neighbours.

And after the further report of his facte, thus, Cum vero de hac re diligentissime quereretur, Johannes Feltonus tandem apprehensus, dignum se Jesu Christi, et primatus ab eo instituti, testem exhibuit.

But when most diligent inquirie was made thereof, John Felton being at length apprehended, showed himselfe a worthy witness of Jesus Christ, and of the supremacie by him ordayned.

Under this title: Illustre martyrium Johannis Storæi, Angli, &c. The noble martyrdome of John Storey, Englishman, &c. Anno autem Domini 1571, 25 die mensis Maii, productus in judicium, perduellionis reus peragitur, veluti qui conjurationem cum certis viris apud Belgas in civitate Antwerpiensi contra Elizabetham inivisset, religionemque schismaticam, quæ jam in Anglia regnat, in catholicam commutare tentasset. Facta vero pro se dicendi potestate, fori tantum exceptionem proposuit, negans judices ipsos ullam in se potestatem habere, qui jam non Anglicanæ principi, sed potius regi catholico subjectus esset.

That is to say, in the year of our Lord 1571, the twenty-five day of the moneth of May, being brought to the barre, hee was arraigned of hie treason, as he had conspired with certayne men in the Lowe Countrey, in the citie of Antwerpe, against Elizabeth, and had attempted to change the schismatical religion which now reigneth in England, into the catholique religion. Being permitted to speak for himselfe, he only pleaded to the jurisdiction of the court, denying that the judges themselves had any power over him, which was now no subject to the English queene, but rather to the king catholique.

And after further discourse of the speech of Dr. Storey, and of his condemnation, he addeth thus: Storæus autem biduo pòst, cum ad uxorem Louanii agentem scriberet, deque hujus sententiæ injustitiâ quereretur, significavit perfacile sibi fuisse, si apud alios judices actum esset, id quod de conjuratione contra Elizabetham factâ objiciebatur confutare. Cujus rei testes citabat illos ipsos, quibuscum Antverpiæ hac de re egisse dicebatur. Verum quia hoc quod probe sciret nescire non posset, integrum sibi non fuisse aliter causam dicere quàm dixisset. Intellexit vero probe se scire, prætensam Angliæ reginam per declaratoriam summi pontificis sententiam ob hæresim manifestam omni jure regni, dominioque privatam esse, ac propterea magistratum nullum ab illâ creatum, eique adhærentem a se agnosci posse, ne forte ipse etiam eodem anathemate innodaretur.

That is to say, Storie two dayes after, writing to his wife, who remayned at Lovaine, and complaining of the unjustice of this sentence, he advertized her that he could easily (if the matter had been tryed before other judges) confute what was objected to him, touching the conspiracie made against Elizabeth, whereof he alleadged for witnesses, those with whome he was sayd to have dealt at Antwerpe about this matter: but because he could not be ignorant of that which he well knew, he could not otherwise plead than he had pleaded. His meaning

was, that he well knewe yt the pretensed queene of England, by the declaratory sentence of the pope, was for manifest heresy deprived from all right of the kingdome, and from dominion, and that therefore no magistrate created by her, and adhering to her, could be acknowledged by him, least himselfe also shoulde be bounde with the same curse.

And in the ende, In ipsis ergo calendis Junii, tantus Dei martyr, injectus crati, ad locum supplicii trahitur. Therefore, the first day of June, so great a martyr of God, was throwen upon a hardell, and drawen to the place of execution. And so concludeth with the report of his execution.

The 1st of August 1581.

Edmond Campion being demanded whether he woulde acknowledge the publishing of these thinges before recited, by Sanders, Bristowe, and Allen, to be wicked in ye whole, or any part; and whether he doeth at this present acknowledge her majestie to be a true and lawfull queene, or a pretensed queene, and deprived, and in possession of her crowne onely de facto; he answereth to the first, that he medleth neither to nor fro, and will not further answere, but requireth that they may answere.

To the second he saith, that this question dependeth upon the fact of Pius quintus, whereof he is not to judge, and therefore refuseth further to answere.

EDMOND CAMPION.

This was thus answered and subscribed by Edmond Campion, the day and yere above written, in the presence of us,

Owen Hopton, Jo. Hammond,
Robert Beale, Thomas Norton.

Short extracts out of Briant and Sherwin's Confessions.

Alexander Briant.—He is content to affirme, that the queene is his soveraigne lady, but he will not affirme that she is so lawfully, and ought to be so, and to be obeyed by him as her subject, if the pope declare or command the contrarie. And he saith, that that question is too high and daungerous for him to answere.

The 6th of May, 1581, before Owen Hopton, knight, John Hammond, and Thomas Norton.

Whether the pope have authoritie to withdraw from obedience to her majesty, he knoweth not.

The 7th of May, 1581. ALEXANDER BRIANT.

Robert Sherwin's Examination.

Being asked whether the pope's bull of deprivation of the queene were a lawful sentence or no, he refuseth to answere.

Being asked whether the queene be his lawful soveraigne, and so ought to continue, notwithstanding any sentence that the pope can give, he doth not answere.

Being againe asked whether the queene be his soveraigne, notwithstanding any sentence that the pope can give, he prayed to bee asked no such question as may touch his life.

The 12th of November, 1580. RALPHE SHERWIN.

Luke Kirby's Answere.

Luke Kirbye.—To the first he saith, that the resolution of this article dependeth upon the general question, whether the pope may, for any cause, depose a prince, wherein his opinion is, that, for some causes, he may lawfully depose a prince, and that such sentence ought to be obeyed.

To the second, he thinketh that, in some cases, as infidelitie, or such like, her majesty is not to be obeyed, against the pope's bul and sentence, for so, he saith, he hath read, that the pope hath so done, *de facto*, against other princes.

To the third, he saith, he cannot answer it.

To the fourth, that the pope, for infidelitie, hath such power as is mentioned in this article.

To the fifth, he thinketh that Dr. Sanders and Dr. Bristowe might be deceived in these poynts of their bookes: but whether they were deceived, or not, he referreth to God.

To the last, he saith, that, when the case shall happen, he must then take counsel, what were best for him to do.

LUKE KIRBY.

John Popham Da. Lewis
Thos. Egerton John Hammond.

Thomas Cottam's Answere.

Thomas Cottam.—To the first, in this and all other questions, he beleeveth as the catholique church (which he taketh to be the church of Rome) teacheth him; and other answer he maketh not to any of the rest of these articles. By me, THOMAS COTTAM, Priest.

John Popham Da. Lewis
Thos. Egerton John Hammond.

Laurence Richardson's Answere.

Laurence Richardson.—To the fifth article, he answereth, that, so far as Dr. Sanders and Dr. Bristowe agree with the catholique doctrine of the church of Rome, he alloweth that doctrine to be true. And

touching the first, and all the rest of the articles, he saith, that, in all matters not repugnant to the catholic religion, he professeth obedience to her majestie, and otherwise maketh no answer to any of them; but believeth therein, as he is taught by the catholique church of Rome.

John Popham Da. Lewis LAURENCE RICHARDSON.
Thos. Egerton John Hammond.

Thomas Forde's Answere.

Thomas Forde.—To the first, he saith, that he cannot answer, because he is not privy to the circumstances of that bull: but if he did see a bull published by Gregory XIII., he would then deliver his opinion thereof.

To the second, he saith, that the pope hath authoritie to depose a prince on certain occasions, and, when such a bull shall be pronounced against her majesty, he will then answere what the duety of her subjects, and what her right, is.

To the third, he saith, he is a private subject, and will not answere to any of these questions.

To the fourth, he saith, that the pope hath authoritie, upon certain occasions, which he will not name, to discharge subjects of their obedience to their prince.

To the fifth, he saith, that Dr. Sanders and Dr. Bristowe bee learned men; and whether they have taught truly in their bookes, mentioned in this article, he referreth the answere to themselves; for himselfe will not answere.

To the last, he saith, that, when that case shall happen, he will make answere, and not before.

John Popham Da. Lewis THOMAS FORDE.
Thos. Egerton John Hammond.

John Shert's Answere.

John Shert.—To all the articles he saith, that he is a catholique, and swarveth, in no poynt, from the catholique faith; and, in other sort, to any of these articles he refuseth to answere.

John Popham Da. Lewis JOHN SHERT.
Thos. Egerton John Hammond.

Robert Johnson's Answere.

Robert Johnson.—To the first, he saith, he cannot answere.

To the second, he cannot tell what power or authoritie the pope hath, in the poynts named in this article.

To the third, he thinketh that the pope hath authoritie, in some cases, to authorize subjects to take arms against their prince.

To the fourth, he thinketh that the pope, for some causes, may discharge subjects of their allegiance and obedience to their natural prince.

To the fifth, the answere to this article dependeth upon the lawfulnesse of the cause, for the which the pope hath given sentence against her: but, if the cause was just, then he thinketh the doctrine of Dr. Sanders and Dr. Bristowe to be true. Whether the cause were just or not, he taketh not upon him to judge.

To the last, he saith, that, if such deprivation and invasion should be made for temporal matter, he would take part with her majestie: but if it were for any matter of his faith, he thinketh he were then bounde to take part with the pope.

John Popham Da. Lewis ROBERT JOHNSON.
Thos. Egerton John Hammond.

John Hart's Answere.

John Hart.—To the first, he saith, that it is a difficult question, and that he cannot make answere thereto.

To the second, hee saith, that her majestie is lawful queene, and ought to be obeyed, notwithstanding the bul supposed to be published by Pius quintus. But whether she ought to be obeyed and taken for lawful queene, notwithstanding any bul or sentence that the pope can give, he saith, he cannot answere.

To the third, he cannot answere, and further saith, that he will not meddle with any such questions.

To the fourth, he saith, he is not resolved, and therefore he cannot answere.

To the fifth, he saith, he will not deale with any such questions, and knoweth not whether Saunders and Bristowe have taught wel herein or not.

To the last, he saith, that when such a case shall happen, he will then advise what becommeth him to do, for presently he is not resolved.

This hee did acknowledge to us, after hee had fully perused the same, but refused to subscribe to it.

John Popham Da. Lewis
Thos. Egerton John Hammond.

William Filbie's Answere.

William Filbie.—To the first, he saith, the pope hath authoritie to depose any prince; and such sentences, when they bee promulgated,

ought to be obeyed by the subjects of any prince: but, touching the bul of Pius V., he can say nothing: but, if it was such as it is affirmed to be, he doth allow it, and saith that it ought to be obeyed.

To the second, he saith, it is a hard question, and therefore he cannot answere it: but upon further advertisement, he answereth as to the first.

To the third, he knoweth not what to saye thereunto.

To the fourth, he saith, that, so long as her majestie remaineth queen, the pope hath no authoritie to warrant her subjects to take armes against her, or to disobey her: but, if he should depose her, then he might discharge them of their allegiance and obedience to her majestie.

To the fifth, he saith, he will not meddle with the doctrine of Dr. Sanders and Dr. Bristowe.

To the last, when this case happeneth, then, he saith, he will answere: and, if he had been in Ireland, when Dr. Sanders was there, he would have done as a priest should have done, that is, to pray that the right may have place.

John Popham Da. Lewis WILLIAM FILBIE.
Thos. Egerton John Hammond.

James Bosgrave his Answere.

James Bosgrave.—To the first he sayeth, that in his conscience, and as hee shall answere before God, he thinketh that the bull or sentence of excommunication of Pius quintus against her majestie, was at no time lawfull; neyther was at any time, or is, of any of her majestie's subjects to be obeyed.

To the second he sayeth, that her majestie is lawfull queene of this realme, and so ought to be taken, notwithstanding any bull or sentence that the pope eyther hath, can, or shall hereafter give.

To the third, he thinketh the pope had no power or authoritie to license the earles of Northumberland and Westmerlande, or any other of her majestie's subjectes, to rebel or to take armes against her majestie: and like hee saith of doctour Saunders: but he holdeth doctour Saunders, and all other that shall, upon such warrant, take armes against her majestie, to bee traytors and rebells.

To the fourth, hee sayeth, that the pope neither hath, nor ought to have, any authoritie to discharge any of her majestie's subjects, or the subjects of any other christian prince, from their allegiance, for any cause whatsoever, and so he thinketh in his conscience.

To the fifth, hee affirmeth in his conscience that doctour Saunders and doctour Bristowe, in bookes here mentioned, and touching the poynt here specified, have taught, testified, and mainteined an untrueth and a falsehode.

To the last, he sayeth, that whatsoever the pope should doe, he would in this case take part with her majestie against the pope, what cause soever he would pretend, and this he taketh to be the duety of every good subject. And this to bee his opinion in all the pointes above recited, he wil be ready to affirme upon his oth.

John Popham, Da. Lewes, James Bosgrave.
Thomas Egerton, John Hammond.

Henry Orton's Answere.

Henry Orton.—To the first he sayth, that he thinketh the bull of Pius quintus was at no time a lawfull sentence, or of force to binde any of her majestie's subjects, and that notwithstanding, her majestie was and is to obeyed by every of her subjects.

To the second, he thinketh that her majestie is to be holden for lawfull queene of this realme, and ought to be obeyed by all her subjects, notwithstanding any thing that y^e^ pope eyther hath done, or can doe.

To the third, he thinketh the pope neither hath nor had authoritie to warrant any of the persons here named, to doe as they have done, or any other of her subjects, to take armes against her majestie, and that those which have taken armes against her, upon that, or the like warrant, have done unlawfully.

To the fourth, he thinketh the pope hath no authoritie to discharge any subject from his allegiance and obedience to his prince.

To the fifth, he thinketh that D. Saunders and D. Bristowe have, in the poyntes mentioned in this article, taught and maintayned an untrueth and a falshood.

To the last, he sayth, that in the case here supposed, he would take part with her majestie against the pope, or any other invading the reaulme by his authoritie.

John Popham, Da. Lewes, Henry Orton.
Thomas Egerton, John Hammond.

*** *Dr. William Allen, to Father Agazzari, June* 23, 1582.

[Extract from MS. in my possession.]

Etsi de martyrio fratrum nostrorum et à me et ab aliis jam pridem audivistis, tamen mitto libellum Anglicanum *(the foregoing paper)*, reginæ mandato editum, quem facilè curabitis in Italicam verti linguam, ut totus mundus intelligat veras causas persecutionis nostræ, et ut sciat quantum, quoad causam religionis, ab adversariis simus lucrati, *qui planè profitentur se, non propter religionem, sed propter bullam Pii V.*,

et aliorum scripta, nostros morti tradere.[1] Ego transtuli articulos, super quibus examinabantur, et ad vos mitto, ut, si videbitur, vel ostendatis illustrissimo D. Protectori, vel doctis etiam quibusdam theologis, ut ab eis instruamur quousque in hujusmodi capitalibus articulis condescendere possint catholici in Angliâ.[2] Duo postremò evaserunt mortem, quia, ut videtis, parum aut nihil tribuere sunt visi bullæ, &c. Alter est Bosgravius, è societate: alter Henricus Ortonus, quem novistis. Tamen (quod mirabimini) unus elegans juvenis, hac etiam aurorâ, ad nos venit, cum literis Joannis Harti; qui juvenis fuit custos peculiaris quorundam

[1] [This is an important passage. It clearly shews that, in Allen's mind, the doctrines, asserted by the bull and by its advocates, were distinct from the doctrines of religion: and yet only a few lines further he can condemn the answers which were supposed to have disclaimed them!—"Non ita *malè* respondisse."—*T.*]

[2] [In consequence of this suggestion, the articles appear to have been laid before the two Jesuits, Maldonatus and Emanuel, who each returned in writing a form of answer, for the use of future prisoners. As Mr. Butler (Memoirs, i. 426), has mistaken the nature and purport of these papers, I will subjoin a copy of each. It is clear that both writers maintained the deposing power, in all its latitude.

Ad hæc sic respondendum censet P. Maldonatus.

"Ad primum; non est meum de eâ re judicare: tantùm scio Romanum pontificem habere auctoritatem omnes christianos, cum justa causa subest, excommunicandi. Itaque, si Pius V. justam habuit causam excommunicandi reginam (de quâ re, ut dixi, non est meum judicare), sententia erit valida, et subditi regni Anglicani parere tenebuntur.—Ad secundum:—si causa sententiæ justa fuit, non regnat justè, nec subditi obedientiam ei debent.—Ad tertium:—non est officii mei judicare de jure armorum: tantùm scio Romanum pontificem spiritualem habere potestatem in omnes christianos.—Ad quartum:—habet propter justam causam.—Ad quintum:—neutrum librum legi (Hoc dicit in suâ personâ P. Maldonatus).—Ad sextum:—si mihi non constaret Romanum pontificem justam causam non habuisse, partes illius sequerer: ad bellum verò adhortari non est meum officium, nisi aliquis qui posset jubeat."

Pater Emanuel sic arbitratur.

"Benè mihi videntur respondisse ii Angli sacerdotes, qui mortui propterea sunt et occisi; et quod P. Maldonatus scripsit posse responderi etiam placet. Si tamen vellent, pro religione et papæ authoritate plura dicere possent in hunc modum. Ad primum:—summum pontificem credo tantam à Christo accepisse potestatem, ut non solùm reginam Angliæ, sed omnes, qui, similiter ac illa, ab ecclesiâ Romanâ per hæresim discesserunt, possit principes excommunicare et deponere; quod si fecerit, ei tanquam Christi vicario obediendum erit: major enim illa est quàm principum quorumvis authoritas.—Ad secundum:—an legitimè regnet nescio:—id scio, posse papam illam deponere; quod si factum est, vel fiat, obediendum est potiùs, ut dixi, summo pontifici,—si tamen possit; in multis enim excusat impossibilitas, aut maxima difficultas.—Ad tertium:—planè habet potestatem id concedendi, et, si res postulet, etiam præcipiendi: quid verò Sanderus aut alii egerint, et an rectè fecerint, non est meum judicare. Id tamen audeo dicere: si quid à papâ eis præceptum fuerit, rectè fecerunt.—Ad quartum:—jam dico posse; et, si opus est, iterum dico.—Ad quintum:—quid scripserint nescio: id scio,—si de authoritate summi pontificis scripserunt, quod supra dixi, rectè scripserunt.—Ad sextum:—quid tum facerem nescio: quid deberem facere scio; nempe, sequi, si possem, partes summi pontificis, cæterosque ad id adhortari.—Emanuel." MS. in my possession.—*T.*]

cubiculorum in turri Londinensi, ac sacerdotum nostrorum, in iisdem incarceratorum; quem, Domino suo arcis præfecto inscio, fecerunt catholicum, et ecclesiæ sanctæ reconciliarunt, et tandem huc miserunt. Is narrat duos illos postremos non ita malè respondisse, sicut hostes tradunt, et in hoc libro publicarunt; affirmatque ipsum Bosgravium et Ortonum planè negare hoc fuisse ipsorum responsum. Ita nulla est fides danda hæreticis. * * * Sed jubeo te, mi pater suavissime, in Domino benè valere. Rhemis, 23 Junii, 1582.

V. R. P. conservus in Domino,
Gulielmus Alanus.

No. IV.—(*Referred to at page* 15.)

An Act against the bringing in, and putting in execution, of Bulls, Writings, or Instruments, and other superstitious things from the See of Rome.

[Stat. 13 Eliz. c. 2.]

Where in the parliament holden at Westminster, in the fifth year of the reign of our sovereign lady, the queen's majesty, that now is, by one act and statute then and there made, intituled, "An act for the assurance of the queen's majesty's royal power over all states and subjects within her highness's dominions," it is, among other things, very well ordained and provided, for the abolishing of the usurped power and jurisdiction of the bishop of Rome, and of the see of Rome, heretofore unlawfully claimed and usurped within this realm, and other the dominions to the queen's majesty belonging, that no person or persons shall hold or stand with, to set forth, maintain, defend, or extol the same usurped power, or attribute any manner of jurisdiction, authority, or pre-eminence to the same, to be had or used within this realm, or any the said dominions, upon pain to incur the danger, penalties, and forfeitures, ordained and provided by the statute of provision and premunire, made in the sixteenth year of the reign of king Richard II., as by the same act more at large it doth and may appear: and yet, nevertheless, divers seditious and very evil-disposed people, without the respect of their duty to Almighty God, or of the faith and allegiance which they ought to bear and have to our sovereign lady the queen, and without all fear and regard had to the said good law and statute, or the pains therein limited; but minding, as it should seem, very seditiously and unnaturally, not only to bring this realm, and the imperial crown thereof (being in very deed of itself most free) into the thraldom and subjection of that foreign, usurped, and unlawful jurisdiction, pre-eminence, and authority, claimed by the said see of Rome, but also to estrange and alienate the minds and hearts of

sundry her majesty's subjects from their dutiful obedience, and to raise and stir sedition and rebellion, within this realm, to the disturbance of the most happy peace thereof, have lately procured and obtained to themselves from the said bishop of Rome, and his said see, divers bulls and writings, the effect whereof hath been, and is, to absolve and reconcile all those, that will be contented to forsake their due obedience to our most gracious sovereign lady, the queen's majesty, and to yield and subject themselves to the said feigned, unlawful, and usurped authority; and, by colour of the said bulls and writings, the said wicked persons very secretly, and most seditiously, in such parts of this realm, where the people, for want of good instruction, are most weak, simple, and ignorant, and thereby farthest from the good understanding of their duties towards God, and the queen's majesty, have, by their lewd and subtle practices and persuasions, so far forth wrought, that sundry simple and ignorant persons have been contented to be reconciled to the said usurped authority of the see of Rome, and to take absolution at the hands of the said naughty and subtle practisers; whereby hath grown great disobedience and boldness in many, not only to withdraw and absent themselves from all divine service, now most godly set forth and used within this realm, but also have thought themselves discharged of and from all obedience, duty, and allegiance to her majesty; whereby a most wicked and unnatural rebellion hath ensued, and, to the further danger of this realm, is hereafter very like to be renewed, if the ungodly and wicked attempts, in that behalf, be not by severity of laws restrained and bridled:

For remedy and redress whereof, and to prevent the great mischiefs and inconveniences that thereby may ensue, be it enacted by the queen's most excellent majesty, with the assent of the lords spiritual and temporal, and the commons, in this present parliament assembled, and by the authority of the same, that, if any person or persons, after the first day of July next coming, shall use, or put in ure, in any place within this realm, or in any the queen's dominions, any such bull, writing, or instrument written or printed, of absolution, or reconciliation, at any time heretofore obtained and gotten, or at any time hereafter to be obtained or gotten, from the said bishop of Rome, or any his successors, or from any other person or persons, authorised or claiming authority by or from the said bishop of Rome, his predecessors, or successors, or see of Rome; or if any person or persons, after the said first day of July, shall take upon him or them, by colour of any such bull, writing, instrument or authority, to absolve or reconcile any person or persons, or to grant or promise to any person or persons within this realm, or any other the queen's majesty's dominions, any such absolution or re-

conciliation, by any speech, preaching, teaching, writing, or any other open deed; or if any persons within this realm, or any the queen's dominions, after the said first day of July, shall willingly receive, and take any such absolution or reconciliation; or else, if any person or persons have obtained or gotten, since the last day of parliament, holden in the first year of the queen's majesty's reign, or, after the said first day of July, shall obtain or get from the said bishop of Rome, or any his successors, or see of Rome, any manner of bull, writing, or instrument, written or printed, containing any thing, matter, or cause whatsoever, or shall publish, or by any ways or means put in ure any such bull, writing, or instrument; that then all and every such act, and acts, offence, and offences, shall be deemed, and adjudged, by the authority of this act, to be high-treason; and the offender, and offenders therein, their procurers, abettors, and counsellors to the fact, and committing of the said offence or offences, shall be deemed and adjudged high traitors to the queen and the realm, and, being thereof lawfully endicted and attainted, according to the course of the laws of this realm, shall suffer pains of death, and also lose and forfeit all their lands, tenements, hereditaments, goods, and chattels, as in cases of high-treason, by the laws of this realm, ought to be lost and forfeited.

And be it farther enacted by the authority aforesaid, that all and every aiders, comforters, or maintainers of any the said offender or offenders, after the committing of any the said acts, or offences, to the intent to set forth, uphold, or allow the doing or execution of the said usurped power, jurisdiction, or authority, touching or concerning the premises, or any part thereof, shall incur the pains and penalties contained in the statute of premunire, made in the sixteenth year of the reign of king Richard II.

Provided always, and be it further enacted by the authority aforesaid, that, if any person, or persons, to whom any such absolution, reconciliation, bull, writing, or instrument, as is aforesaid, shall, after the said first day of July, be offered, moved, or persuaded to be used, put in ure, or executed, shall conceal the same offer, motion, or persuasion, and not disclose and signify the same, by writing, or otherwise, within six weeks then next following, to some of the queen's majesty's privy-council, or else to the president or vice-president of the queen's majesty's council established in the north parts, or in the marches of Wales, for the time being, that then the same person or persons so concealing, or not disclosing, or not signifying the said offer, motion, or persuasion, shall incur the loss, danger, penalty, and forfeiture of misprision of high-treason:

And that no person, or persons shall, at any time hereafter, be

impeached, molested, or troubled, in or for misprision of treason, for any offence or offences made treason by this act, other than such, as by this act are before declared to be in case of misprision of high-treason.

And be it further enacted by the authority aforesaid, that, if any person or persons shall, at any time, after the said first day of July, bring into this realm of England, or any of the dominions of the same, any token or tokens, thing or things, called or named by the name of *Agnus Dei*, or any crosses, pictures, beads, or such like vain and superstitious things, from the bishop or see of Rome, or from any person or persons authorised, or claiming authority, by or from the said bishop, or see of Rome, to consecrate or hallow the same (which *Agnus Dei* is used to be specially hallowed and consecrated, as it is termed, by the said bishop in his own person, and the said crosses, pictures, beads, and such like superstitious things, been also hallowed either by the same bishop, or by others having power, or pretending to have power, for the same, by or from him, or his said see, and divers pardons, immunities, and exemptions granted by the authority of the said see to such as shall receive and use the same); and that, if the same person or persons so bringing in, as is aforesaid, such *Agnus Dei*, and other like things, as have been before specified, shall deliver, or cause, or offer to be delivered the same, or any of them, to any subject of this realm, or of any the dominions of the same, to be worn, or used in any wise,—that then, as well the same person and persons so doing, as also all and every other person, or persons, which shall receive and take the same, to the intent, to use or wear the same, being thereof lawfully convicted and attainted by the order of the common laws of this realm, shall incur the dangers, penalties, pains, and forfeitures, ordained and provided by the statute of premunire and provision, made in the sixteenth year of the reign of king Richard II.

[Of the remaining clauses of this act, which are five in number, two provide for the pardon of offenders, who shall either denounce their accomplices, or confess their own delinquency: one enacts the penalty of premunire against any justice, who shall have received information under the statute, without communicating it to the privy-council: and the others save, to noblemen, the right of trial by their peers, to corporate bodies and others, not being the offenders, whatever rights, titles, or interests they might otherwise have claimed.—*T.*]

No. V.—(*Referred to at page* 15.)

*** *Proclamation for the recall of all students from the foreign seminaries, and for the banishment of all jesuits, and seminary priests from England, Jan.* 10, 1581.

[Strype, Annals, iii. 40.]

Whereas the queen is given to understand, that certain colleges and

societies, under the name of seminaries, have been of late years erected by the bishop of Rome, as well in that city of Rome, as in the dominions of other princes, especially for the subjects of her kingdoms and dominions, with intent and purpose to train and nourish them up in false and erroneous doctrine; by which means divers of her good and faithful subjects have been thereby perverted, not only in matters of religion, but also drawn from the acknowledgment of their natural duties unto her highness, as their prince and sovereign, and have been made instruments in some wicked practices, tending to the disquiet of the realm and other her majesty's dominions; yea, to the moving of rebellion within their natural countries:

She thinks it very expedient (as a thing appertaining chiefly to a christian prince, to have a special care to see her subjects trained up in truth and christian religion, grounded merely upon the word of God, and not upon men's fancies and vain traditions) to use all means of prevention, that may tend to the remedy thereof. Wherefore, she doth straitly charge and command all such her subjects, as have their children, wards, kinsfolk, or any other, over whom they have special charge, or to whom they do contribute to their maintenance and relief, remaining in the parts beyond the seas, to give notice, within ten days after the publishing of this present proclamation, not only unto the ordinary the names of such, their children, wards, or kinsfolks, or such other to whom they have given any aid for their charges, as shall be beyond the seas, at the time of the publication hereof, without her majesty's special license remaining in force, and not expired; but shall also procure a return of them, within the space of four months after notice given by the said proclamation: and then, the persons, and other persons aforesaid, immediately upon the return of their children and other persons, to give knowledge thereof unto the bishop or ordinary: and, in case they return not upon the knowledge of this her highness's pleasure, given by the said parents and other persons aforesaid, not to yield them any contribution or relief, directly or indirectly; nor shall be privy to, or conceal the contribution of, any other, without disclosing the same to the bishop or ordinary, upon pain of her highness's displeasure, and further punishment, as for their contempt therein may justly be laid upon them.

That it shall not be lawful, after six days expired, for any merchant, or other whatsoever, by way of exchange or otherwise, to exchange, convey, or deliver, or procure any money or other relief, to or for the maintenance of any persons beyond the seas, which by the intent of this proclamation are prohibited to have or receive any out of her majesty's dominions, upon pain of her highness's displeasure, and such

further punishment as may be imposed on the offenders in that behalf, for such their contempt and offence.

That it shall not be lawful for any, of any degree or quality whatsoever, to depart out of the realm, without the queen's special license.

That her majesty is given to understand, that divers of her subjects, trained up in the said colleges and seminaries beyond the seas, whereof some carry the name of Jesuits, under the colour of a holy name, to deceive and abuse the simpler sort; and are lately repaired into this realm by special direction from the pope and his delegates, with intent not only to corrupt and pervert her good and loving subjects in matter of conscience and religion, but also to draw them from their loyalty and duty of obedience, and to provoke them, so much as shall lie in them, to attempt somewhat to the disturbance of the present quiet, which, through the goodness of Almighty God, and her majesty's provident government, this realm hath for many years enjoyed.

She, therefore, foreseeing the great mischief that may ensue by such like instruments, whereof experience hath been of late seen in the realm of Ireland, do, therefore, notify unto her subjects that, if any of them, or any other within her highness's dominions, after the publishing of this present proclamation, do receive, maintain, succour, or relieve any jesuit, seminary man, massing priests, or other persons aforesaid, come, or which shall come, or be sent into this realm, or any other her dominions, or shall not discover the receiving and harbouring of them, or any such vagrant persons as may be justly suspected to be of such quality and ill condition; as also, in case they shall remain with them at the time of the said publication, or afterwards shall not bring them before the next justice, to be by him committed to the common gaol, or before other public officer, to the end they may in like sort be committed, and forthcoming to be examined, and to receive such punishment, as by her majesty shall be thought meet, according to their deserts; Then they shall be reputed as maintainers and abettors of such rebellious and seditious persons, and receive, for the same their contempt, such severe punishment, as by the laws of the realm, and her highness's princely authority, may be inflicted upon them.

And that if any other her subjects, at any time, certainly know any such persons, repaired into this realm, for the purpose aforenamed, and therefore give knowledge to any of her majesty's officers or ministers, whereby either they may be, or shall be, taken and apprehended by the said officers, then the informer or utterer shall have her highness's reward for every such person, by him or them disclosed and apprehended, such sum of money, as shall be an honourable due reward for so good service; besides her majesty's most hearty thanks for the discharge of their duty in that behalf.

Provided, nevertheless, that it shall be lawful to and for factors and agents for any lawful merchants, in their trades and merchandize, in any parts beyond seas, and for mariners in their necessary voyages, to pass and remain beyond seas, without incurring any manner of contempt, so long as they shall be employed about such their voyages and merchandizing, &c. Given at her majesty's palace of Westminster, the tenth of January, in the twenty-third of her majesty's most noble reign.

No. VI.—(*Referred to at page* 15.)

An Act, to retain the Queen's Majesty's subjects in their due obedience.

[Stat. 23 Eliz. c. 1.]

Where, sithence the statute made in the thirteenth year of the reign of the queen, our sovereign lady, intituled, "An act against the bringing in, and putting in execution, of bulls, writings, and instruments, and other superstitious things, from the see of Rome," divers evil affected persons have practised, contrary to the meaning of the said statute, by other means, than by bulls, or instruments, written or printed, to withdraw divers the queen's majesty's subjects from their natural obedience to her majesty, to obey the said usurped authority of Rome, and, in respect of the same, to persuade great numbers to withdraw their due obedience from her majesty's laws, established for the due service of Almighty God:

For reformation whereof, and to declare the true meaning of the said law, be it declared and enacted by the authority of this present parliament, that all persons whatsoever, which have, or shall have, or shall pretend to have, power, or shall by any ways or means put in practice to absolve, persuade, or withdraw any of the queen's majesty's subjects, or any within her highness' realms and dominions, from their natural obedience to her majesty; or to withdraw them, for that intent, from the religion now, by her highness' authority, established within her highness' dominions, to the Romish religion; or to move them, or any of them, to promise any obedience to any pretended authority of the see of Rome, or of any other prince, state, or potentate, to be had or used within her dominions; or shall do any overt act to that intent or purpose; they, and every of them, shall be to all intents adjudged to be traitors, and, being thereof lawfully convicted, shall have judgment, suffer, and forfeit, as in case of high-treason. And if any person shall, after the end of this session of parliament, by any means be willingly absolved or withdrawn, as aforesaid, or willingly be reconciled, or shall promise any obedience to any such pretended authority, prince, state, or potentate, as is aforesaid; that then every such person, their procurers, and counsellors thereunto, being thereof lawfully convicted,

shall be taken, tried, and judged, and shall suffer, and forfeit, as in cases of high-treason.

And be it likewise enacted and declared, that all and every person and persons, that shall wittingly be aiders, or maintainers of such persons so offending, as is above expressed, or of any of them, knowing the same; or which shall conceal any offence, as aforesaid, and shall not, within twenty days at the farthest after such persons' knowledge of such offence, disclose the same to some justice of peace, or other higher officer, shall be taken, tried, and judged, and shall suffer, and forfeit, as offenders in misprision of treason.

And be it likewise enacted, that every person, which shall say, or sing mass, being thereof lawfully convicted, shall forfeit the sum of two hundred marks, and be committed to prison in the next jail; there to remain by the space of one year; and from thenceforth, till he have paid the said sum of two hundred marks: and that every person, which shall willingly hear mass, shall forfeit the sum of one hundred marks, and suffer imprisonment for a year.

Be it also further enacted by the authority aforesaid, that every person above the age of sixteen years, which shall not repair to some church, chapel, or usual place of common prayer, but forbear the same (contrary to the tenour of a statute made in the first year of her majesty's reign, for uniformity of common prayer), and being thereof lawfully convicted, shall forfeit to the queen's majesty, for every month, after the end of this session of parliament, which he, or she, shall so forbear, twenty pounds of lawful English money; and that, over and besides the said forfeitures, every person so forbearing by the space of twelve months, as aforesaid, shall, for his or her obstinacy, after certificate thereof in writing made into the court commonly called the King's bench, by the ordinary of the diocese, a justice of assize and jail delivery, or a justice of peace of the county, where such offender shall dwell or be, be bound with two sufficient sureties in the sum of two hundred pounds, at least, to their good behaviour; and so to continue bound, until such time, as the persons so bound do conform themselves, and come to the church, according to the true meaning of the said statute, made in the said first year of the queen's majesty's reign.

And be it further enacted, that, if any person, or persons, body politic or corporate, after the feast of Pentecost next coming, shall keep or maintain any school-master, which shall not repair to church, as is aforesaid, or be allowed by the bishop or ordinary of the diocese, where such schoolmaster shall be so kept, shall forfeit, and lose, for every month so keeping him, ten pounds.

Provided, that no such ordinary, or their ministers, shall take any

thing for the said allowance; and such schoolmaster or teacher, presuming to teach contrary to this act, and being thereof lawfully convict, shall be disabled to be a teacher of youth, and shall suffer imprisonment without bail or mainprise, for one year.

[By the succeeding clauses it is provided that justices of peace and justices of assize may enquire into offences against this act: that persons, charged under the statute with any crime, other than treason or misprision of treason, and submitting even at the time of arraignment, shall be pardoned: that all forfeitures under the act shall be equally divided between the queen, the poor, and the informer: that persons unable to pay their fines shall be imprisoned; and that every grant, conveyance, or other instrument, made since the commencement of the present session of parliament, and with a view to elude the statute, shall be void.—*T.*]

No. VII.—(*Referred to at page* 19.)

*** *Proclamation against Seminary Priests and Jesuits. April* 1, 1582.

[Strype, Annal. iii. 84.]

After reciting the Proclamation issued in the preceding year, it thus proceeds:—

Whereas sithence which time, some example having been made for the condign punishment of such as have contemptuously broken her highness' express commandment, in that behalf given by the said proclamation; and some of the said traitorous persons, as namely, Edmund Campian, jesuit, Ralph Sherwin, and John Briant, seminary priests, having disguisedly and very secretly wandered in the realm, and at length been apprehended, and so thereupon justly, lawfully, publicly, and orderly endicted, arraigned, condemned, and executed for divers treasons; and some others their complices having been likewise justly and lawfully condemned for the like crimes; her majesty finding, what through the obstinacy and malice of some, and the wilful ignorance of many others, that neither the said proclamation, nor the said examples, have wrought such effect of reformation, as, upon good hope conceived of this her forewarning, her highness had expected and desired; and perceiving withal, that some, traitorously affected, have of late, by letters, libels, pamphlets, and books, both written and printed, falsely, seditiously, and traitorously given out, that the said most horrible traitors were, without just cause, condemned and executed, has, therefore, thought good to make known unto her good and faithful subjects, and generally to all others within her dominions, whereby they may not be abused, nor enveigled by those and such like most wicked, false, and dangerous traitors and seducers, that it has manifestly and plainly appeared unto her highness and her council, as well by many examinations, as by sundry of their own letters and confessions, besides the late manifest attempts of the like companions (directed by the pope out of

number) of the said seminaries and jesuits, broken out to actual rebellion in Ireland, that the very end and purpose of these jesuits and seminary men, and such like priests, sent, or to be sent, over into this realm, and other her majesty's dominions, from the parts beyond the seas, is not only to prepare sundry her majesty's subjects, inclinable to disloyalty, to be up, to give aid to foreign invasion, and to stir up rebellion within the same, but also (that most perilous is) to deprive her majesty (under whom, and by whose provident government, with God's assistance, these realms have been so long and so happily kept and continued in great plenty, peace and security), of her life, crown, and dignity.

Wherefore, seeing the great mischief that otherwise may ensue unto the whole estate of her majesty's realms and countries, if these attempts are not more severely looked unto and punished; and to the intent none shall, after the publication hereof, excuse themselves by pretence of any ignorance, her majesty does, therefore, hereby signify to all her loving subjects, and all other within her dominions, that all the said jesuits, seminary men, and priests aforesaid, coming into these her dominions in such secret manner, are, and so of all her subjects aforesaid ought to be holden, esteemed, and taken for, traitors to her majesty, her crown and realm: and that all such as, after the publishing of this proclamation, shall wittingly and willingly receive, harbour, aid, comfort, relieve, or maintain any such jesuit, seminary man, or priest, as is aforesaid, shall be, and ought to be, dealt with, used, and proceeded on, as willing and witting aiders, comforters, relievers, and maintainers of traitors, committing high-treason to her majesty's person: and that every such person, as shall have any such jesuit, seminary man, or priest, in his or her house or company, at the time of the publication hereof, or after, knowing him to be such, and shall not forthwith himself do his or her best endeavour to bring him, or cause him to be brought, before the next justice of the peace, or other public officer, to be committed to prison, whereby he may be forthcoming to answer his offence, according to her highness's laws; that then every such person shall be deemed, taken, and dealt with, as a maintainer and aider of traitors, as aforesaid. And that every person, wittingly concealing any such jesuit, seminary man, or priest, or any their practices aforesaid, shall be deemed and taken to be in case of misprision of treason.

And, moreover, her highness's pleasure and express commandment is, that none of her subjects, nor any other under her obeisance, shall suffer their children, or any other, being under charge or government, except lawful merchants, and such as, without covin, shall be agents to factors for lawful merchants, in their trades of merchandize beyond the seas, and mariners for their voyages, to depart out of this realm without

her highness's special license first had and obtained; upon pain of her highness's displeasure, and such further punishment as may be imposed upon the offenders in that behalf, for such their offence and contempt: and that as well all such of her majesty's subjects as are, at this present, of the said seminaries and societies, erected beyond the seas as aforesaid, and shall not return within one quarter of a year after such proclamation made, as all other which, after the proclamation hereof, shall pass over the seas, and be of any of the seminaries or societies erected as aforesaid, shall be *ipso facto* taken, reputed, and esteemed to be traitors to her highness's person, her crown and realm: and that all maintainers, aiders, relievers, and comforters of such persons, shall be esteemed, taken, and dealt with, as maintainers, aiders, relievers, and comforters of such traitors. Given at our manor of Greenwich, the first day of April, in the 24th year of our reign.

No. VIII.—(*Referred to at page* 20.)

*** *A Memorial for the Journey. About* 1583.

[Original in the possession of the Dean and Chapter.[1]]

✠

It is requisite that you demand an aid of three thousand men, viz., two thousand shot (whereof six hundred at least, or a thousand if it may be, to be muskets), and one thousand armed; to wit, seven hundred with pikes, and three hundred halberdiers, all with corselets of proof, to enter upon any breach or house defended. With this aid and money to conduct others, as well English as Scottish, whereof good store will be had; and with such other forces as voluntarily will come unto you, there is no doubt but you and the two nobles will be able, within one month, to be masters of all the north, and make your frontier at the least on this side of Nottingham.

And albeit you cannot land amiss within the county of York, but shall have many and great numbers to repair unto you from all parts, yet I think it much better, for many commodities, to land within the county of Durham.

First, that country will be for certain wholly yours, without contrary countenance, or difficulty for your landing, and more now than it was when we were up; for now they be worn out that stood against us, viz., Sir C. Bowes and his allies, and many, that then were his, will now faithfully be yours, as Mr. Coniers, of Stockbourne, Mr. Blaxton, and others.

Item, there the Earl of W. is in his chief strength, and will be able to raise great numbers, both on horse and foot.

[1] [This always refers to the *catholic* Dean and Chapter, of which an account will afterwards be given.—*T.*]

Item, from thence the lord Dacre may easily pass into Westmoreland and Cumberland without encounter, to raise up his forces there.

Item, that country being so much at your devotion, the aid may more securely repose themselves, for some few days after their first landing, than they could in the county of York, where, though you shall find many friends, so will there not want some enemies; and here you may more quietly make your entry, and begin your plot, than you could in the other.

Item, to that place the Lord Dacre may, without difficulty, call unto him his cousin Ridley of Willimonswick, who, being a neighbour to the barony of Langley, in which barony may be made three hundred good horsemen, may raise that barony, which of itself doth desire this service, to have revenge of the great spoils made upon them, for serving the late earl of Northumberland, their late lord.

Item, the county of Durham, adjoining upon Northumberland, hath better commodity to treat with the gentlemen thereof, to win them to this part, and to receive without let the forces that shall be levied there, than could be done in Yorkshire further off; and from thence also you may have good means to treat with Scotland, as well for such aids from thence as shall be thought necessary (which might be by the horsemen of Northumberland soon drawn to you), as for such other causes as you shall have to do there.

For to assure yourselves against any accident or misfortune that might fall, and the more to strengthen you, it were principally needful to get the possession of the towns of Hull and Newcastle. Both be very rich, and able to help you much in all needs. Hull the stronger; but Newcastle more commodious for this service, as well for the nearness to Northumberland and Scotland, from whence you must expect your men of best service, as that it standeth in the way to stop all passages between Northumberland and the counties of York and Durham, as also for that the Queen hath there her storehouse of armour and artillery for all the north, and that upon that town all Northumberland dependeth, and from thence receive their necessary provisions.

To compass this, Mr. Richard Hodgson, alderman of the same, were fittest to be dealt withal, who, if he will promise it, is able to deliver the town now, while no garrison is therein: and Mr. Robert Tempest is the best I know to be sent with your instructions and direction, and credit from the lords and his brother to the said Mr. Richard Hodgson, and to his brother William, who was my lord of Westmoreland's servant; with like credit also to the earl's officer at Bywell, to have his service as need shall require.

It shall also be necessary, after your landing, to fortify Hartlepool, and to leave therein a garrison.

Item, to surprise Hull, the fittest I know, and best able to do it, is Mr. Thomas Metham, Mr. Henry Constable, and Mr. Ellerker, of Risby. Thomas Metham is very well affected to the cause, and may do much with Mr. Ellerker; and Mr. Ellerker as much with Mr. Constable, who is of great power: and all these have their lands near Hull. But I cannot well devise a fit man to send to Mr. Metham; for Ingram Thwing, and Peter, as their case standeth, could hardly serve the turn, both because they have not full acquaintance with him, as also that they must be forced to deal by some other than themselves, which is dangerous. John Markenfield is the best I can think upon, because he is well acquainted with him, and loved and trusted of him: but then, you shall want one to treat with Captain Read, except the Q.[1] will devise for that, that he may be made sure, which she may easily do.

For Scarborough, Ingram Thwing can best inform [you], both for his skill and knowledge of the place, and that he and his friends be in most credit with sir Richard Cholmondeley, who, of all men, is most able to surprise it, and was, within these few years, most willing to do it.

I have good intelligence with Mr. Anthony Catterick, an ancient, faithful, wise gentleman, who hath always had a great desire to further this service; and once, since I came hither, when Robert Taylor came from thence, he caused my wife, in dark terms, to write to me, to give him some little light before when I should see that there were hope of speedy succour, that he might arready his friends for the same. He hath no son of his own, but three daughters all well married, and hath promised that they shall serve the cause,—Mr. Roger Meynell, Mr. Robert Lambart (who were with us before), and Mr. Francis Scrope, the heir of Mr. Henry Scrope, now deputy-steward of Richmondshire under the lord Scrope, whose tenants and servants he hath also in leading. Out of his office may well be taken a thousand tall fellows as any be in the county of York: and the wisdom of Mr. Catterick, and his friendship with Mr. Scrope, I believe would so work, as he would either procure him at the first to enter and take part with you, or so cause him to temporise and keep off from the enemy, till your forces may come and take him along with you. And if Mr. Markenfield or Mr. Tempest, either of them, shall be sent, they be so well known to Mr. Catterick, as they may say what your wisdom shall think convenient for me to advise him.

And for the town of Richmond (if it be as it was when I came from thence) I know none that could do there more than myself.

Richard Meynell, brother to Mr. Roger Meynell, is one of the gentlemen that may do most good, to feel the minds of the gentlemen of

[1] The queen of Scots.

Yorkshire, for the great acquaintance he hath among them, for his wit, sincere honesty, and valour; and is one that will be ready to serve, upon a small intimation.

For Westmoreland and Cumberland, the lord Dacre must do his part, where his forces most lie; and by his means the earl of Cumberland, his nephew, and the lord Wharton, who hath married his niece, are to be drawn into the action; with whom, I suppose, his lordship hath some intelligence, and is himself very secret.

The best that I can think upon, to deal in Northumberland, is Mr. Watts, who knoweth all the queen of Scots' friends there, and all the catholics, as sir Thomas Gray, sir Cuthbert Collingwood, Mr. Fenwick, Mr. Anthony Ratcliffe, Mr. Carr of Ford, Mr. Haggerstone, Mr. Metford, &c. In coming in with some countenance, and having of money to wage others, all these will be yours; and they will bring in the borders of Scotland, and such numbers of shot from thence, as you shall think necessary: but in landing in Scotland, and entering by force, you shall have them all your enemies, the frontier laid with strong garrisons, and all places fortified against you; and shall find it more danger and difficulty to pass Northumberland, than from Northumberland to London.

If you land in England, you may well take out of the counties of Northumberland, Cumberland, Westmoreland, Durham, and York, three or four thousand horsemen, and leave the countries sufficiently furnished; and with these horsemen you may pass in England where you will cut off victuals from your enemies, and break and let . . .
[*Five or six words are here obliterated in the folds of the paper.*]

[Endorsed, "*Sir Francis Englefield :*"—it was probably addressed to that person.—*T.*]

The earl of Westmoreland and lord Dacre to Dr. Allen. March 5, 1583.

[Original, in my possession.]

Jesus ✠ Maria.

Dear beloved father, Sith lately it hath pleased God to restore to more perfect health the earl of Westmoreland, who, as he findeth himself now more able of body, so likewise is he in mind the more desirous and willing to perform a most dutiful office, in the service of his divine majesty and his dear country, having also withal the rude writer hereof a promised and a vowed assister and furtherer of him, in this same holy purpose and attempt, to the uttermost of his force and power: so great, then, is the assured hope and confidence both we have in your most fervent and well-approved zeal to advance and prefer the most precious quarrel in the world, the honour and glory of God's

church, a thing in our poor country so necessary to be promoted, as the want thereof hazardeth yea many thousand of souls of eternal damnation: and, albeit many of your habit and coat hath lately executed their priestly function worthily, to the happy recovery of a great number of the same, yet those few of us of the laity, now left alive, may thereat bear a holy envy, which, either through the slow or cold disposition of the most mighty princes we have dealt withal, or rather through the let of our grievous sins, could never yet obtain the special grace to be employed in the blessed cause,—well, perhaps the like apt opportunity afore hath not been offered, as presently there is, by the late resort into those parts of that noble and faithful subject, the duke of Lennox: Wherefore, sith that, next unto God of all our nation, we do repose a most special trust and affiance in you, unto whose virtuous direction we have not alone promised by words, but also hereby have wholly resigned and committed ourselves to be ordered by, take therefore hereby this commission and authority upon you, as well to promise, of our behalf, as well to the said duke, the lord ambassador of Scotland, the lord of Ross, either to one, all, or any of them, whatsoever aid, countenance, or assistance our persons, friends, or well-willers may be, any way, hereunto; as also how, where, and when, to your wisdom and their appointment the same shall seem meetest and most available: persuading [ourselves] always, that you will take that fatherly care that our overture and readiness herein be no way prejudicial to the continuance of our honours, and the good opinion of his holiness and catholic majesty, which hitherto hath nourished us; whom we do believe should receive, not only most spiritual joy and comfort, but also, in time, greatest gain and worldly commodity hereby. Wherefore, if this our intent and meaning, by your discreet solicitation, may find the happy and fortunate hour to be hearkened unto, we must further require you so effectually to deal either with the special persons before mentioned, or else with some other of more authority, you think best, for the procuring of favourable letters, that our entertainment be better answered and paid, that we may somewhat better be provided and furnished, wheresoever you and they shall dispose of us: which, if you shall deem, for the more speedy executing of any thing above said, our presence requisite, we shall not fail, either the one or both, forthwith, upon your advertisement, and passport procured, if you so think good, repair to such place, as you shall direct and appoint us. Thus boldly craving your most diligent labour and travail in the premises, and your resolution with the surest and speediest opportunity that commodiously you can there find, that thereafter we may be the more ready to accomplish the same accordingly, [we] do surcease from giving you any longer trouble at this time, commending us most effectually to yourself

Herewith shall you receive a letter to the duke of Lennox, with the copy thereof, that, after you have well perused [it], you may either deliver, or cause to be delivered, if you discern it expedient and necessary: otherwise you may, at your pleasure, detain and keep the same still in your custody. Farewell, our most dear friend. At Tournay, the 5th of March, 1583.

Your most assured,
Charles de Westmoreland,
Edward Dacre.

No. IX.—(*Referred to at page* 21.)

An Act against Jesuits, Seminary Priests, and other such-like disobedient Persons.

[Stat. 27 Eliz. c. 2]

Whereas divers persons, called or professed jesuits, seminary priests, and other priests, which have been, and, from time to time, are, made in the parts beyond the seas, by or according to the order and rites of the Romish church, have of late come, and been sent, and daily do come, and are sent, into this realm of England, and other the queen's majesty's dominions, of purpose (as it hath appeared, as well by sundry of their own examinations and confessions, as by divers other manifest means and proofs) not only to withdraw her highness' subjects from their due obedience to her majesty, but also to stir up and move sedition, rebellion, and open hostility within the same her highness' realms and dominions, to the great endangering of the safety of her most royal person, and to the utter ruin, desolation, and overthrow of the whole realm, if the same be not the sooner, by some good means, foreseen and prevented:

For reformation whereof, be it ordained, established, and enacted by the queen's most excellent majesty, and the lords spiritual and temporal, and the commons in this present parliament assembled, and by the authority of the same parliament, that all and every jesuits, seminary priests, and other priests whatsoever, made, or ordained, out of the realm of England, or other her highness' dominions, or within any of her majesty's realms or dominions, by any authority, power, or jurisdiction derived, challenged, or pretended from the see of Rome, since the feast of the Nativity of St. John Baptist, in the first year of her highness' reign, shall, within forty days next after the end of this present session of parliament, depart out of this realm of England, and out of all other her highness' realms and dominions, if the wind, weather, and passage shall serve for the same; or else, so soon after the end of the said forty days, as the wind, weather, and passage shall so serve.

And be it further enacted by the authority aforesaid, that it shall not

be lawful to or for any jesuit, seminary priest, or other such priest, deacon, or religious, or ecclesiastical person whatsoever, being born within this realm, or any other her highness' dominions, and heretofore, since the said feast of the Nativity of St. John Baptist, in the first year of her majesty's reign, made, ordained, or professed, or hereafter to be made, ordained, or professed, by any authority or jurisdiction derived, challenged, or pretended from the see of Rome, by or of what name, title, or degree soever the same shall be called or known, to come into, be, or remain in any part of this realm, or any other her highness' dominions, after the end of the same forty days; other than in such special cases, and upon such special occasions only, and for such time only, as is expressed in this act: And if he do, that then every such offence shall be taken and adjudged to be high-treason, and every person so offending shall, for his offence, be adjudged a traitor, and shall suffer, lose, and forfeit, as in case of high-treason.

And every person, which, after the end of the same forty days, and after such time of departure, as is before limited and appointed, shall wittingly and willingly receive, relieve, comfort, aid, or maintain any such jesuit, seminary priest, or other priest, deacon, or religious, or ecclesiastical person, as is aforesaid, being at liberty, or out of hold, knowing him to be a jesuit, seminary priest, or other such priest, deacon, or religious, or ecclesiastical person, as is aforesaid, shall also for such offence be adjudged a felon, without benefit of the clergy, and suffer death, lose, and forfeit, as in case of one attainted of felony.

And be it further enacted by the authority aforesaid, if any of her majesty's subjects (not being a jesuit, seminary priest, or other such priest, deacon, or religious, or ecclesiastical person, as is before mentioned) now being, or which hereafter shall be, of, or brought up in, any college of jesuits, or seminary already erected or ordained, or hereafter to be erected or ordained, in the parts beyond the seas, or out of this realm in any foreign parts, shall not, within six months, next after proclamation in that behalf to be made in the city of London, under the great seal of England, return into this realm, and thereupon, within two days next after such return, before the bishop of the diocese, or two justices of peace of the county, where he shall arrive, submit himself to her majesty and her laws, and take the oath set forth by act, in the first year of her reign, that then every such person, which shall otherwise return, come into, or be in this realm, or any other her highness' dominions, for such offence of returning, and being in this realm, or any other her highness' dominions, without submission, as aforesaid, shall also be adjudged a traitor, and suffer, lose, and forfeit, as in case of high-treason.

And be it further enacted by the authority aforesaid, if any person, under her majesty's subjection or obedience, shall, at any time after the end of the said forty days, by way of exchange, or by any other shift, way, or means whatsoever, wittingly, and willingly, either directly, or indirectly, convey, deliver, or send, or cause, or procure to be conveyed, or delivered, to be sent over the seas, or out of this realm, or out of any other her majesty's dominions, or territories, into any foreign parts, or shall otherwise wittingly, or willingly yield, give, or contribute any money, or other relief to or for any jesuit, seminary priest, or such other priest, deacon, or religious, or ecclesiastical person, as is aforesaid, or to or for the maintenance or relief of any college of jesuits, or seminary, already erected, or ordained, or hereafter to be erected, or ordained, in any the parts beyond the seas, or out of this realm in any foreign parts, or of any person, then being of, or in, the same colleges, or seminaries, and not returned into this realm with submission, as in this act is expressed, and continuing in the same realm, that then every such person, so offending, for the same offence shall incur the danger and penalty of premunire, mentioned in the statute of Premunire, made in the sixteenth year of the reign of king Richard II.

And be it further enacted by the authority aforesaid, that it shall not be lawful for any person of or under her highness' obedience, at any time, after the said forty days, during her majesty's life (which God long preserve), to send his, or her child, or other person, being under his, or her government, into any the parts beyond the seas, out of her highness' obedience, without the special license of her majesty, or of four of her highness' privy-council, under their hands, in that behalf first had or obtained (except merchants; for such only as they, or any of them, shall send over the seas, only for or about his, her, or their trade of merchandize, or to serve as mariners, and not otherwise), upon pain to forfeit and lose, for every such offence, the sum of one hundred pounds.

* * * * *

Provided also that this act, or any thing therein contained, shall not, in any wise, extend to any such jesuit, seminary priest, or other such priest, deacon, or religious or ecclesiastical person, as is before mentioned, as shall, at any time within the said forty days, or within three days after that he shall hereafter come into this realm, or any other her highness' dominions, submit himself to some archbishop or bishop of this realm, or to some justice of peace within the county where he shall arrive or land, and do thereupon truly and sincerely, before the same archbishop, bishop, or such justice of peace, take the said oath set forth *in anno*

primo, and, by writing under his hand, confess and acknowledge, and from thenceforth continue, his due obedience unto her highness' laws, statutes, and ordinances, made and provided, or to be made or provided, in causes of religion.

* * * * *

Provided nevertheless, and it is declared by authority aforesaid, that, if any such jesuit, seminary priest, or other priest above said, shall fortune to be so weak or infirm of body, that he or they may not pass out of this realm, by the time therein limited, without imminent danger of life, and this understood as well by the corporal oath of the party, as by other good means, unto the bishop of the diocese and two justices of the peace of the same county, where such person or persons do dwell or abide, that then, and upon good and sufficient bond of the person or persons, with sureties, of the sum of £200, at the least, with condition that he or they shall be of good behaviour towards our sovereign lady the queen and all her liege people, then he or they so licensed, and doing as is aforesaid, shall and may remain and be still within this realm, without any loss or danger to fall on him or them by this act, for so long time as by the said bishop and justices shall be limited and appointed, so as the same time of abode exceed not the space of six months at the most: And that no person or persons shall sustain any loss, or incur any danger, by this act, for the receiving or maintaining of any such person or persons so licensed, as is aforesaid, for and during such time only as such persons shall be so licensed to tarry within this realm; any thing contained in this act to the contrary notwithstanding.

And be it also further enacted by authority aforesaid, that every person or persons, being subjects of this realm, which, after the said forty days, shall know and understand that any such jesuit, seminary priest, or other priest abovesaid, shall abide, stay, tarry, or be within this realm, or other the queen's dominions and countries, contrary to the true meaning of this act, and shall not discover the same to some justice of the peace, or other higher officer, within twelve days next after his said knowledge, but willingly conceal his knowledge therein, that every such offender shall make fine, and be imprisoned at the queen's pleasure: and that, if such justice of peace, or other such officer, to whom such matter shall be discovered, do not, within eight-and-twenty days then next following, give information thereof to some of the queen's privy council, or to the president of the queen's council established in the north, or in the marches of Wales, for the time being, that then he or they, so offending, shall, for every such offence, forfeit the sum of two hundred marks.

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And that, if any person, so submitting himself as aforesaid, do, at any time within the space of ten years after such submission made, come within ten miles of such place where her majesty shall be, without special license from her majesty in that behalf, to be obtained in writing under her hand, that then, and from thenceforth, such person shall take no benefit of his said submission, but that the same submission shall be void, as if the same had never been.

No. X.—(*Referred to at page* 26.)

An Act for the more speedy execution of the statute (23 *Eliz.*) *entituled An Act to retain the Queen's majesty's subjects in their due obedience.*

[Stat. 29 Eliz. c. 6.]

For avoiding of all frauds and delays heretofore practised, or hereafter to be put in ure, to the hinderance of the due and speedy execution of the statute, made in the session of parliament, holden by prorogation at Westminster, the 16th day of January, in the three-and-twentieth year of the reign of our most gracious sovereign lady, the queen's majesty, entituled, "an act to retain the queen's majesty's subjects in their due obedience," be it enacted by the authority of this present parliament, that every feoffment, gift, grant, conveyance, alienation, estate, lease, encumbrance, and limitation of use, of, or out of, any lands, tenements, or hereditaments whatsoever, had or made at any time since the beginning of the queen's majesty's reign, or at any time hereafter to be had or made, by any person which hath not repaired, or shall not repair, to some church, chapel, or usual place of common-prayer, but hath forborn, or shall forbear the same, contrary to the tenour of the said statute; and which is or shall be revokable at the pleasure of such offender, or in any wise directly or indirectly meant or intended to or for the behoof, relief, or maintenance, or at the disposition of, any such offender, or wherewith, or whereby, or in consideration whereof, such offender of his family shall be maintained, relieved or kept, shall be deemed and taken to be utterly frustrate and void, as against the queen's majesty, for or concerning the levying and paying of such sums of money as any such person, by the laws or statutes of the realm already made, ought to pay or forfeit for not coming or repairing to any church, chapel, or usual place of common prayer, or for saying, hearing, or being at any mass; and shall also be seized and had to and for her majesty's use and behoof, as hereafter in this act is mentioned; any pretence, colour, feigned consideration, or expressing of any use, to the contrary notwithstanding.

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And be it also enacted by the authority aforesaid, that every such

offender, in not repairing to divine service, but forbearing the same, contrary to the said statute, as hath been heretofore convicted for such offence, and hath not made submission, and been conformable according to the true meaning of the said statute, shall, without any other endictment or conviction, pay into the receipt of the said exchequer all such sums of money, as, according to the rate of twenty pounds for every month sithence the same conviction, do yet remain unpaid, in form as hereafter ensueth; that is to say, the one moiety thereof before the end of the next Trinity Term, and the other moiety thereof before the end of the next Hilary Term, or at any such other times, as by the lord treasurer, chancellor, and chief baron of the exchequer, or any two of them, shall by composition, upon good bond and surety taken, be limited, before the end of the said next Trinity Term, if any such composition shall happen to be; and shall also, in every Easter and Michaelmas Term, until such time as the said person do make submission, and be conformable, according to the true meaning of the said statute, pay into the said receipt of the exchequer twenty pounds for every month, which shall incur in all that mean time.

And be it also enacted by the authority aforesaid, that every such offender, in not repairing to divine service, but forbearing the same contrary to the said statute, as hereafter shall fortune to be thereof once convicted, shall, in such of the Terms of Easter or Michaelmas, as shall be next after such conviction, pay into the said receipt of the exchequer after the rate of twenty pounds for every month, which shall be contained in the endictment whereupon such conviction shall be; and shall also, for every month after such conviction, without any other endictment or conviction, pay into the receipt of the exchequer aforesaid, at two times in the year, that is to say, in every Easter Term, and Michaelmas Term, as much as then shall remain unpaid, after the rate of twenty pounds for every month after such conviction: and if default shall be made in any part of any payment aforesaid, contrary to the form herein before limited, that then and so often the queen's majesty shall and may, by process out of the said exchequer, take, seize, and enjoy all the goods, and two parts as well of all the lands, tenements, and hereditaments, liable to such seisures, or to the penalties aforesaid, by the true meaning of this act, leaving the third part only of the same lands, tenements, and hereditaments, leases and farms, to and for the maintenance and relief of the same offender, his wife, children, and family.

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No. XI.—(*Referred to at page* 27.)

An Act for restraining of Popish Recusants to some certain places of abode.

[Stat. 35 Eliz. c. 2.]

For the better discovering and avoiding of such traitorous and most dangerous conspiracies and attempts, as are daily devised and practised against our most gracious sovereign lady, the queen's majesty, and the happy estate of this common weal, by sundry wicked and seditious persons, who, terming themselves catholics, and being, indeed, spies and intelligencers, not only for her majesty's foreign enemies, but also for rebellious and traitorous subjects born within her highness's realms and dominions, and hiding their most detestable and devilish purposes under a false pretext of religion and conscience, do secretly wander and shift from place to place within this realm, to corrupt and seduce her majesty's subjects, and to stir them to sedition and rebellion;

Be it ordained and enacted by our sovereign lady, the queen's majesty, and the lords spiritual and temporal, and the commons in this present parliament assembled, and by the authority of the same, that every person above the age of sixteen years, born within any of the queen's majesty's realms and dominions, or made denizen, being a popish recusant, and before the end of this session of parliament convicted for not repairing to some church, chapel, or usual place of common prayer, to hear divine service there, but forbearing the same, contrary to the tenour of the laws and statutes heretofore made and provided in that behalf, and having any certain place of dwelling and abode within this realm, shall, within forty days next after the end of this session of parliament (if they be within this realm, and not restrained or stayed either by imprisonment, or by her majesty's commandment, or by order and direction of some six or more of the privy council, or by such sickness and infirmity of body, as they shall not be able to travel without imminent danger of life, and in such cases of absence out of the realm, restraint, or stay, then within twenty days next after they shall return into the realm, and be enlarged of such imprisonment or restraint, and shall be able to travel), repair to their place of dwelling, where they usually heretofore made their common abode, and shall not, at any time after, pass or remove above five miles from thence:

And also that every person (*as before*) which, being within this realm at the time that they shall be convicted, shall, within forty days next after the same conviction (if they be not restrained or stayed by imprisonment, or otherwise, as is aforesaid, and in such cases of

restraint and stay, then within twenty days next after they shall be enlarged of such imprisonment or restraint, and shall be able to travel), repair to their place of usual dwelling and abode, and shall not, at any time after, pass or remove above five miles from thence, upon pain that every person and persons that shall offend against the tenour and intent of this act, in any thing before mentioned, shall lose and forfeit all his and their goods and chattels, and shall also lose and forfeit to the queen's majesty all the lands, tenements, and hereditaments, and all the rents and annuities of every such person so doing or offending, during the life of the same offender.

And be it also enacted by the authority aforesaid, that every person above the age of sixteen years, born within any her majesty's realms or dominions, not having any certain place of dwelling and abode within this realm, and being a popish recusant, not usually repairing to some church, chapel, or usual place of common prayer, but forbearing the same contrary to the same laws and statutes in that behalf made, shall, within forty days next after the end of this session of parliament (if they be then within this realm, and not imprisoned, restrained, or stayed, as aforesaid, and, in such case of absence out of the realm, imprisonment, restraint, or stay, then within twenty days next after they shall return into the realm, and be enlarged of such imprisonment or restraint, and shall be able to travel), repair to the place where such person was born, or where the father or mother of such person shall then be dwelling, and shall not, at any time after, remove or pass above five miles from thence, upon pain that every person and persons which shall offend against the tenour and intent of this act, in any thing before mentioned, shall lose and forfeit all his and their goods and chattels, and shall forfeit to the queen's majesty all the lands, tenements, and hereditaments, and all the rents and annuities of every such person so offending, during the life of the same person.

And be it further enacted by the authority aforesaid, that every such offender as is before mentioned, which hath or shall have any lands, tenements, or hereditaments, by copy of court-roll, or by any other customary tenure, at the will of the lord, according to the custom of any manor, shall forfeit all and singular his and their said lands, tenements and hereditaments so holden by copy of court-roll, or customary tenure as aforesaid, for and during the life of such offender (if his or her estate so long continue), to the lord or lords of whom the same be immediately holden, if the same lord or lords be not then a popish recusant, and convicted for not coming to church to hear divine service, but forbearing the same contrary to the laws and statutes aforesaid, nor seized or possessed upon trust to the use or behoof of any

such recusant as aforesaid; and, in such case, the same forfeiture to be to the queen's majesty.

Provided always, and be it further enacted by the authority aforesaid, that all such persons as, by the intent and true meaning of this act, are to make their repair to their place of dwelling and abode, or to the place where they were born, or where their father or mother shall be dwelling, and not to remove or pass above five miles from thence as is aforesaid, shall, within twenty days next after their coming to any of the said places (as the case shall happen), notify their coming thither, and present themselves, and deliver their true names in writing to the minister or curate of the same parish, and to the constable, headborough, or tithingman of the town, and thereupon the said minister or curate shall presently enter the same into a book, to be kept in every parish for that purpose.

* * * *

And to the end that the realm be not pestered and overcharged with the multitude of such seditious and dangerous people as is aforesaid, who, having little or no ability to answer or satisfy any competent penalty for their contempt and disobedience of the said laws and statutes, and being committed to prison for the same, do live for the most part in better case there, than they could, if they were abroad at their own liberty, the lords spiritual and temporal, and the commons in this present parliament assembled, do most humbly and instantly beseech the queen's majesty, that it may be further enacted, that, if any such person or persons being a popish recusant (not being a *feme covert*, and not having lands, tenements, rents, or annuities, of an absolute estate of inheritance or freehold, of the clear yearly value of twenty marks, above all charges, to their own use and behoof, and not upon any secret trust or confidence for any other, or goods and chattels in their own right, and to their own proper use and behoof, and not upon any such secret trust and confidence for any other, above the value of forty pounds), shall not, within the time before in this act in that behalf limited and appointed, repair to their place of usual dwelling and abode, if they have any, or else to the place where they were born, or where their father or mother shall be dwelling, according to the tenour and intent of this present act, and thereupon notify their coming, and present themselves, and deliver their true names, in writing, to the minister or curate of the parish, and to the constable, headborough, or tithingman of the town, within such time, and in such manner and form as is aforesaid, or at any time after such their repairing to any such place, as is before appointed, shall pass or remove above five miles from the

same, and shall not, within three months next after such person shall be apprehended or taken for offending, as is aforesaid, conform themselves to the obedience of the laws and statutes of this realm, in coming usually to the church to hear divine service, and in making such public confession and submission as hereafter in this act is appointed and expressed, being thereunto required by the bishop of the diocese, or any justice of the peace of the county where the same person shall happen to be, or by the minister or curate of the parish, that, in every such case, every such offender being thereunto warned or required by any two justices of the peace, or coroner of the same county where such offender shall then be, shall, upon his or their corporal oath before any two justices of the peace, or coroner of the same county, abjure this realm of England, and all other the queen's majesty's dominions, for ever; and thereupon shall depart out of this realm at such haven and port, and within such time, as shall in that behalf be assigned and appointed by the said justices of peace or coroner, before whom such abjuration shall be made, unless the same offenders be letted or stayed by such lawful and reasonable means or causes, as by the common laws of this realm are permitted and allowed, in cases of abjuration for felony; and in such cases of let or stay, then within such reasonable and convenient time after, as the common law requireth in case of abjuration for felony, as is aforesaid.

* * * *

And if any such offender, which, by the tenour and intent of this act, is to be abjured, as is aforesaid, shall refuse to make such abjuration, as is aforesaid, or, after such abjuration made, shall not go to such haven, and within such time as is before appointed, and from thence depart out of this realm, according to this present act, or, after such his departure, shall return or come again into any her majesty's realms or dominions, without her majesty's special license in that behalf first had and obtained, that then, in every such case, the person so offending shall be adjudged a felon, and shall suffer and lose as in case of felony, without benefit of clergy.

And be it further enacted and ordained by the authority aforesaid, that, if any person which shall be suspected to be a jesuit, seminary, or massing priest, being examined by any person, having lawful authority, in that behalf, to examine such person as shall be so suspected, shall refuse to answer directly and truly whether he be a jesuit, or a seminary, or massing priest, as is aforesaid, every such person, so refusing to answer, shall, for his disobedience and contempt in that behalf, be committed to prison by such as shall examine him, as is aforesaid, and thereupon shall remain and continue in prison without bail or main-

prise, until he shall make direct and true answer to the said questions, whereupon he shall so be examined.

Provided nevertheless, and be it further enacted by the authority aforesaid, that, if any of the persons which are hereby limited and appointed to continue and abide within five miles of their usual dwelling-place, or of such place where they were born, or where their father and mother shall be dwelling, as is aforesaid, shall have necessary occasion or business to go and travel out of the compass of the said five miles, that then, and in every such case, upon license in that behalf, to be gotten under the hands of two of the justices of the peace of the same county, with the privity and assent, in writing, of the bishop of the diocese, or of the lieutenant, or of any deputy lieutenant of the same county, under their hands, it shall and may be lawful for every such person to go and travel about such their necessary business, and for such time only for their travelling, attending, and returning, as shall be comprised in the same license; any thing before in this act to the contrary notwithstanding.

* * * *

And furthermore, be it enacted by the authority of this present parliament, that, if any person or persons that shall, at any time hereafter, offend against this act, shall, before he or they shall be thereof convicted, come to some parish church on some Sunday or other festival day, and then and there hear divine service, and, at service time, before the sermon, or reading of the gospel, make public and open submission and declaration of his and their conformity to her majesty's laws and statutes, as hereafter in this act is declared and appointed, that then the same offender shall thereupon be clearly discharged of and from all and every pains and forfeitures inflicted or imposed by this act, or any of the said offences in this act contained, the same submission to be made as hereafter followeth; that is to say:

"I, A. B., do humbly confess and acknowledge, that I have grievously offended God, in contemning her majesty's godly and lawful government and authority, by absenting myself from church, and from hearing divine service, contrary to the godly laws and statutes of this realm; and I am heartily sorry for the same; and do acknowledge and testify in my conscience, that the bishop or see of Rome hath not, nor ought to have, any power or authority over her majesty, or within any her majesty's realms or dominions: and I do promise and protest, without any dissimulation, or any colour or means of any dispensation, that from henceforth I will from time to time obey and perform her majesty's laws and statutes, in repairing to the church, and hearing divine service, and do my uttermost endeavour to maintain and defend the same."

* * * *

Provided nevertheless, that if any such offender, after such submission made, as is aforesaid, shall afterward fall into relapse, or eftsoons become a recusant, in not repairing to church to hear divine service, but shall forbear the same, contrary to the laws and statutes in that behalf made and provided, that then every such offender shall lose all such benefit as he or she might otherwise, by virtue of this act, have or enjoy by reason of their said submission, and shall thereupon stand and remain in such plight, condition, and degree to all intents, as though such submission had never been made.

Provided always, and be it enacted by the authority aforesaid, that all and every woman married, or hereafter to be married, shall be bound by all and every article, branch, and matter contained in this statute, other than the branch and article of abjuration before mentioned: and that no such woman married, or to be married, during marriage, shall be in any wise forced or compelled to abjure, or be abjured by this act; any thing therein contained to the contrary thereof notwithstanding.

No. XII.—(*Referred to at page* 29.)

[From Printed Broadside in my possession.]

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*** *A Declaration of the Sentence and deposition of Elizabeth, the vsurper and pretensed Quene of Englande.*

SIXTVS THE FIFTE, by Gods prouidence the vniuersal pastor of Christes flocke, to whome by perpetual and lawful succession, apperteyneth the care and gouernemēt of the Catholike Churche, seinge the pittyfull calametyes which heresy hath brought into the renoumed cuntryes of Englande and Irelande, of olde so famouse for vertue, Religion, and Christian obedience; And how at this present, through the impietie and peruerse gouernemēt of *Elizabeth* the pretensed Quene, with a fewe her adhearētes, those kingdomes be brought not onely to a disordered and perillouse state in them selues, but are become as infected members, contagious and trublesome to the whole body of Christendome; And not hauinge in those parts the ordinary meanes, which by the assistāce of Christian Princes he hath in other prouinces, to remedy disorders, and kepe in obedience and ecclesiastical discipline the people, for that *Henry the* 8. late kinge of Englande, did of late yeares, by rebellion and reuolte from the See Apostolike, violently seperate him selfe and his subiects from the cōmunion and societie of the christian comon welth; And *Elizabeth* the present vsurper, doth continewe the same, with perturbation and perill of the cuntryes aboute her, shewinge her selfe obstinate and incorrigible in such sorte, that without her depriuation and depositiō there is no hope to reforme those

states, nor kepe Christendome in perfect peace and trāquillety: Therfore our Holy Father, desyringe as his duty is, to prouide present and effectuall remedy, inspired by God for the vniuersall benefite of his Churche, moued by the particuler affection which him selfe and many his predecessors haue had to these natyons, And solicited by the Zelous and importunate instance of sundry the most principall persones of the same, hath dealt earnestly with diuers Princes, and specially with the mighty and potent *Kinge Catholike of Spaine*, for the reuerence which he beareth to the See Apostolike, for the olde Amity betwene his house and the Croune of England, for the specyall loue which he hath shewed to the Catholikes of those places, for the obteyninge of peace and quietnesse in his cuntryes adioyninge, for the augmentinge and increase of the Catholike faith, and finally for the vniuersall benefite of all Europe; that he will employe those forces which almighty God hath giuen him, to the deposition of this woman, and correctiō of her complices, so wicked and noysome to the worlde; and to the reformation and pacification of these kingdomes, whence so greate good, and so manifold publike commodeties, are like to ensue.

And to notefy to the world the iustice of this acte, and giue full satisfaction to the subiects of those kingdomes and others whosoeuer, and finally to manyfest Gods iudgements vpon sinne; his Holynes hath thought good, together with the declaratory sentence of this womans chasticement, to publish also the causes, which haue moued him to procede against her in this sorte. First for that she is an Heretike, and Schismatike, excōmunicated by two his Holines predecessors; obstinate in disobedience to God and the See Apostolike; presuminge to take vpon her, contrary to nature, reason, and all lawes both of God and man, supreme iurisdiction and spirituall auctority ouer mens soules. Secondly for that she is a Bastard, conceyued and borne by incestuous adultery, and therfore vncapable of the Kingdome, aswell by the seuerall sentences of *Clement the* 7. and *Paule the* 3. of blessed memory, as by the publike declaration of Kinge Henry him selfe. Thirdly for vsurpinge the Croune without right, hauinge the impediments mentioned, and contrary to the auncyent acorde made betwene the See Apostolike and the realme of England, vpon reconciliation of the same after the death of *S. Thomas of Canterbury*, in the time of *Henry the second*, that none might be lawfull kinge or Quene therof, without the approbation and consent of the supreme Bishopp: which afterward was renewed by kinge *John*, and confirmed by othe, as a thinge most beneficiall to the kingdome, at request and instance of the lordes and Comons of the same. And Fvrther for that with sacrilege and impiety, she contineweth violating the solemne Othe made at her coronation, to

mainteyne and defende the auncyent priuileges and ecclesiasticall liber-tyes of the lande. FOR MANY and greuous iniuryes, extorsions, oppressions, and other wronges, done by her, and suffered to be done against the poore and innocent people of both cuntryes. FOR sturringe vp to sedition and rebellion the subiects of other nations about her, against their lawfull and naturall princes, to the destructyon of infinite soules, ouerthrow and desolation of most goodly cittyes and cuntryes. FOR harboringe and protectinge Heretikes, fugetiues, rebelles, and notorious malefactors, with greate iniury and preiudice of diuers comon wealthes: and procuringe for the oppressiō of Christendome and disturbance of comon peace, to bringe in our potēt and cruell enemy *the Turke.* FOR so longe and barbarouse persecution of gods saints, aflictinge, spolynge, and imprisoninge the sacred Bishops, tormentinge, and pittyfully murtheringe numbers of holy Preists, and other catholike persons. FOR the vnnatural and iniust imprisonment, and late cruelty vsed against the most gracyous Princesse, *Mary Quene of Scotland,* who vnder promise and assurance of protection and succor, came first into Englande. FOR abolishinge the trew Catholike religion; prophaninge holy Sacramēts, Monasteryes, Churches, Sacred persons, Memories of saints, and what els so euer might helpe or further to eternal saluation: And, in the Comon welth, disgraceing the auncyent Nobility, erecting base and vnworthy persons to all the Ciuile and Ecclesiastical Dignetyes, sellinge of lawes and iustice, And finally exercysinge an absolute Tyrannie, with high offence to almighty God, oppressyon of the people, perdition of soules, and ruine of those cuntryes.

WHERFORE, these thinges beinge of such nature and qualety, that some of thē make her vnable to reigne, others declare her vnworthy to liue; *His Holinesse*, in the almighty power of God, and by Apostolical auctority to him committed, doth renewe the sentēce of his predecessors *Pius* 5. and *Gregorie the* 13. tooching the Excōmunication and deposition of the sad *Elizabeth:* and further a newe doth *Excommunicate, and depriue* her of all auctority and Princely dignety, and of all title and pretensyon to the said Croune and Kingdomes of England and Ireland; declaringe her to be illegittimate, and an vniust vsurper of the same; *And absoluinge* the people of those states, and other persons whatsoeuer, from all Obedience, Othe, and other bande of Subiection vnto her, or to any other in her name. *And further* doth straitely commaunde, vnder the indignation of almighty God, and payne of Excōmunication, and the corporal punishmēt appoynted by the lawes, that none, of whatsoeuer condition or estate, after notice of these presents, presume to yeilde vnto her, Obedience, fauor, or other suc-

curse; But that they and euery of them concurre by all meanes possible to her chastisement. To the ende, that she which so many wayes hath forsaken God and his Churche, beinge now destitute of wordly comforte, and abandoned of all, may acknowledge her offence, and humbly submitt her selfe to the iudgements of the highest.

BE IT THERFORE notefyed to the inhabitants of the said Cuntryes, and to all other persons, that they obserue diligently the premisses, withdrawinge all succor publike and priuate, from the party pursued and her adherents, after they shall haue knowlege of this present: And that forthwith they vnite them selfs to the Catholike army conducted by the most noble and victorious Prince, *Alexander Farnesius, Duke of Parma and Placentia,* in name of his Maiesty, with the forces that eche one can procure, to helpe and cōcurre as ys aforesaid (yf nede shall be) to the deposition and chasticement of the said persons, and restitutiō of the holy Catholike faith. *Signifyenge* to those which shall doe the contrary or refuse to doe this here cōmaunded, that they shall not escape condigne punishment.

MOREOVER BE IT KNOWEN that the intention of his Holynesse, of the Kinge Catholike, and the Duke his highnesse in this enterprise, ys not to inuade and conquere these kingdomes; chaunge lawes, preuileges or customes; bereaue of liberty or liuelyhoode, any man (other then rebels and ostinate persons) or make mutation in any thinge, except suche, as by comon accorde, betwene his Holinesse, his Catholike maiesty, and the states of the lande, shalbe thought necessary, for the restitution and continuance of the Catholike Religion, and punishment of the vsurper and her adhearents. *Assuringe* all men, that the controuersyes which may arise by the depriuation of this woman, or vpon other cause, eyther betwene particuler partyes, or touching the successyon to the Croune, or betwene the Churche and Comon welthe, or in other wise whatsoeuer, shalbe decyded and determined wholy accordinge to iustice and Christian equity without iniury or preiudice to any person. AND there shall not onely due care be had, to saue from spoyle the Catholikes of these cuntryes, which haue so longe endured, but mercy also shewed to such penytent persons, as submitt them selues to the Capitane generall of this army. Yea for so much as information ys giuen, that there be many, which onely of ignorance or feare be fallen from the fayth, and yet notwithstandinge are taken for heretikes; Neyther ys yt purposed, presently to punish any such persons, but to supporte them with clemency, till by conference with lerned men and better consideration, they may be informed of the truth, if they doe not shew them selues obstinate.

TO PREVENT also the sheadinge of Christiane bloode, and spoyle of

the cuntry, which might ensewe by the resistance of some principall offenders, Be it knowne by these presents, that it shal not onely be lawfull for any person publike or priuate (ouer and besides those which haue vndertaken the enterprise) to areste, put in holde, and deliuer vp vnto the Catholike parte, the said vsurper, or any of her complices; But also holden for very good seruice and most highly rewarded, accordinge to the qualety and condition of the partyes so deliuered. And in like maner, all others, which here to fore haue assisted, or herafter shall helpe and concurr to the punishment of the offenders, and to the establishmēt of Catholike Religion in these prouinces, shall receyue that aduauncement of honor and estate which their good and faithful seruice to the comon welthe shall require; in which, respecte shalbe vsed, to preserue the auncyent and honorable famelyes of the lande, in as much as ys possible. AND finally by these presents, fre passage ys graunted to such as wil resorte to the catholike campe, to bringe victuals, munytion, or other necessaryes; promisinge liberall paymēt for all such things, as shalbe receiued from thē for seruice of the army. Exhorting withall and straitely commaunding, that al men accordinge to theire force and ability, be redy and diligent to assiste here in; to the ende no occasion be giuen to vse violence, or to punish such persons as shall neglect this commaundement.

Our said holy father, *of his benignety, and fauor to this enterprice, out of the spirituall treasures of the Churche, committed to his custody and dispensation, graunteth most liberally, to al such as assist, concurr, or helpe in any wise, to the deposition and punishment of the abouenamed persons, and to the reformation of these two Cuntryes*, Plenary Indulgence *and perdon of all their sinnes, beinge duely penitent, contrite, and confessed, according to the law of God, and vsual custome of Christian people.*

Laus Deo.

No. XIII.—(*Referred to at page* 30.)

**** *Sir Francis Englefield to the king of Spain, Sept.* 8, 1596.

[Letters of Englefield and others, MS. vol. in my possession, f. 1.]

Al Rey nuestro Señor.

Señor,—

Por aver sido y criado de V.M. mas de quarenta años, y recebido infinitas mercedes, tanto por mi persona, como por mi patria, no puedo dexar agora, quando parece que Dios me ha de sacar d'este

Translation.

To our Lord, the king.

Sire,—Having served your majesty for more than forty years, and having received innumerable favours, as well personal, as in behalf of my country, at your majesty's hands, I cannot, at a mo-

mundo, de escrivir estos pocos renglones a V.M., los quales, por ser los postremos que tengo de embiar de esta vida (porque he mandado que non se embien antes que yo sea muerto), confio que V.M., con sú acostumbrada clemencia, me hara merced de passar sus reales ojos por ellos.

Lo primero que se mi offrece de decir en esta hora es, que conviene mucho a todo la cristiandad que V. Mag^d. tenga particular quenta con el reyno de Inglaterra; pues, sin la assistencia y fuerças desta monarquia, no parece probable que se podra jamas reducirse y estableçerse bien en la religion catolica: y aunque para esto los seminarios son el medio mas poderoso y seguro, para preparar los animos, toda via estos, sin fuerças temporales tambien a sú tiempo, no podran conseguir el effeto que se desea. Y aunque las armas de España, por la grandeza desta monarquia, son suspechosas a los demas principes, con todo esto no se ha de dexar de usarlas para el remedio de Inglaterra; pues por ellas esta monarquia ha de ser el remedio de Inglaterra, o Inglaterra la destruycion d'esta monarquia.

Aunque no falten algunos catolicos de Inglaterra, que, por la seguridad de la religion catolica, desean que V.M. fuesse rey tambien de Inglaterra, toda via el cor-

ment when it appears that the Almighty is about to remove me from the world, refrain from addressing to your majesty these few lines. They are the last that you will receive from me in this life (for I have ordered that they shall not be delivered until after my death); and I trust, therefore, that your majesty, with your accustomed kindness, will vouchsafe to honour them with your royal perusal.

In the first place, then, permit me to remark, that the interests of Christendom in general require the special attention of your majesty to the kingdom of England; for, without the support and the troops of Spain, it is scarcely probable that the catholic religion will ever be restored and established in that country. Even the seminaries, powerful as they are in preparing men's minds for a change, must fail to complete their object without the aid of temporal force: and, although it is true, that the arms of Spain, already sufficiently powerful, may excite the jealousies of other states, still, considering that either these arms must redeem England, or England become a source of annoyance and of ruin to this country, it is impossible that your majesty can refrain from having recourse to them.

In England there may be some catholics, who, for the sake of their religion, would gladly see your majesty on the throne of that country; but the body of the na-

riente de todo el reyno seria al contrario, y la inclinacion de los demas principes de la cristiandad, juntandose con aquello, seria causa de grandissimas guerras: y assi el medio que se ha propuesto de la serenissima señora infanta es, sin duda, el mejor y mas suave; y parece que no se hallara mucha difficultad en assentar aquella, o otra traça semejante de persona terçera, por mano de V.M., si V.M. quita el recelo y sospecho de lo primero (que es de querer Inglaterra para si), ni para unir la a España; y si juntamente los demas medios se toman, que muchas vezes se han propuesto, de los quales los principales son, que algunos pocos inquietos de la parcialidad contraria (que, siendo Ingleses, residen en Flandes y Roma, y pervierten a otros) se remueven, o se refrenen; y otros zelosos del servicio de V.M. se apoyen, y se animen con sustento y autoridad de los mismos puestos; porque d'esto dependera el successo de toda la negociacion con la gente Inglesa.

La yda del padre Personio a Roma, como de una parte veo que podra hazer muy buenos effetos, assi de la otra, sabiendo yo el odio y aversion de todos los de la parcialidad Escossesa y Francesa le tienen, por pensar que es cabeça de los que favorecen a las cosas de

tion, and the feelings of all the princes of Christendom, would alike be opposed to such an arrangement, and wars of the most serious description would be the inevitable consequence. Of the plans, therefore, which have hitherto been proposed, that of setting up her serene highness, the infanta, is undoubtedly the most feasible; and there will be little difficulty in your majesty's successfully carrying out either that, or any similar scheme of a third person, provided that, in the first place, your majesty can remove all suspicion of intending either to acquire England for yourself, or to unite it to Spain, and, in the next, that the other measures, which have been frequently proposed, be instantly adopted,—especially, that a few of the leading agitators belonging to the opposite faction (Englishmen residing in Flanders and Rome, and employing themselves in corrupting others) be removed, or put under restraint, and that their places be supplied by others, whose zeal in your majesty's cause is deserving of this encouragement. It is on this, in fact, that the success of any negotiation with the English must depend.

With regard to the journey of father Persons to Rome, although, on the one hand, I see the good likely to result from it, yet, on the other, knowing the hatred and aversion with which he is regarded by the Scottish and French factions (who, in consequence of his

V.M., tanto por el libro que escriviò contra el edito de la reyna, como por el otro que se escrivio de la succession (en el qual se descubrieron primero de todo las acciones que las casas de Portugal y Castilla tienen a la succession de Inglaterra, las quales antes no se sabian), y por otras cosas que el dicho padre ha escrito, y hecho, y haze cada dia, de esta parte;—por todo esto me ha parecido, y me parece, que este viage del padre le sera de muchissimo peligro, si no va muy bien apoyado de V.M., con espressa orden al embaxador de Roma que no le dexe detener por ahy, con ninguna invencion de los contrarios, y que mire mucho por sú seguridad mientras que estuviere en Italia, y que le socorre con cuydad, en qualquiera necessidad.—Y, con todo esto, temo el successo.

Lo que el padre Personio me dixo, que avia tratado con los ministros de V.M., los meses passados, en Toledo, que se pusiesse alguna consulta particular en Flandes, cabe la persona del archiduque cardinal, para las cosas de Inglaterra, y que algunas personas confidentes de la misma nacion entrassen tambien de ella, es de tanta importancia, que, hasta que se essecute, y que la nacion tenga alguna cabeça segura en las cosas tocantes a V.M.,[1] no aguardo yo

Reply to the queen's Edict, of the book, written on the Succession and discovering the hitherto unknown pretensions of Portugal and Castile to the English crown, and of other things which the said father has written and done, and daily continues to do, on that side of the question, consider him as the leader of the party attached to your majesty's interests)—knowing this, I say, it always has appeared, as it still appears, to me, that his journey will involve him in the greatest danger, unless he goes strongly supported by your majesty, with an express order to the ambassador at Rome to prevent his detention there, through any contrivance of the opposite party; to provide for his safety during his residence in Italy; and to have assistance at hand, in case of any emergency:—and even with all these precautions, I fear for the consequences.

The project, which father Persons told me he had discussed with your majesty's ministers, a few months since, at Toledo, of a special conference on the affairs of England, to be held in Flanders, under the presidency of the cardinal-archduke, and to be joined by some confidential persons of the English nation, is of so much importance, that, until it is effected, and until the nation shall possess some head securely attached to your majesty's interests,[1] I look for no favourable

[1] [Does he not here allude to the project of making Persons a cardinal?—a project of which he thus speaks in a letter to Allen, written in the preceding January:—"The good we might receive by having another spiritual head con-

algun buen successo en las cosas de Inglaterra; pues los inquietos siempre lo revolveran todo.

Torno a representar a V.M., que importa mucho a sú real servicio, y a la reputacion con la nacion Inglesa, que V.M. mande tener quenta con el coronel Stanleyo, y despachar sú negocio que tantos años està suspendido en esta corte, lo qual haze mucho daño con desanimar a muchos que querrian venir al servicio de V.M., y los enemigos se firmen muchissimo d'este exemplo, para que ningun se fia, &c.

Importara tambien al servicio de V.M., que algun hombre confidente y intelligente de nuestra nacion resida en Madrid, para dar avisos a V.M., y a los de sú consejo, mucho mejor de lo que yo he podido hazer: y, al presente, viene a España, con el duque de Feria, un cavallero muy principal, llamado Tomas Fitzherbert, que ha servido muchos años a V.M., con grande satisfaccion, y es de grande fidelidad y partes, y de casa muy principal: y si V.M. fuere servido honrarle y armarle cavallero al modo de Inglaterra, y darle la casa y entretenimientos que yo hasta agora he tenido, seria animar mu-

issue to the affairs of England, deranged as they constantly will be by the arts of the factious.

I must next point out to your majesty the importance, as regards the royal cause and its character in the eyes of England, of issuing immediate instructions for settling the claims of colonel Stanley, and thus terminating his suit in this court. It has now been suspended for many years; and the delay has not only been productive of injury and discouragement to many who would enter your majesty's service, but has likewise afforded your enemies an opportunity of appealing to it for their own purposes, and creating a general feeling of distrust, &c.

It will also be important to the interests of your majesty, that some trustworthy and intelligent Englishman should reside at Madrid, in order to supply your majesty and the council with better information than it has been in my power to give. Such a person has just arrived in Spain, in company with the duke of Feria. He is a gentleman of consideration, named Thomas Fitzherbert; a man of tried fidelity, of excellent abilities, and of good family, who is already known to your majesty in a long and approved course of service. And were your majesty pleased to confer on him the ho-

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stituted among us, is, I grant, over long delayed, and yet not possible to be hastened by us more than it is, respecting the natural inclination of those, which may and must be the chief furtherers of that our desire." Orig. in my possession.—*T.*]

cho a el, y a los buenos de nuestra nacion; y sin duda entiendo, que seria mucho servicio de V.M.:— y por esto se lo propongo y suplico humildemente a V.M., a quien nuestro Señor dè muy largos años prosperos de vida como le suplico. En Valladolid, estando muy apretado de calenturas, a 8. de 7bre 1596.

De V. Catolica Magd.
fiel subdito y criado
FRANCISCO ENGLEFIELD.

nour of knighthood, after the English fashion, assigning to him, at the same time, the residence and salary hitherto enjoyed by me, it would not only encourage him and the well-disposed of our countrymen, but also, I am convinced, prove of essential service to your majesty. It is for this reason that I propose him, with my humble entreaties, to the consideration of your majesty; on whom may our Lord bestow, as I pray he will, a long and prosperous life. At Valladolid, much reduced by fever, on the 8th of September, 1596.

From your Catholic Majesty's
faithful subject and servant,
FRANCIS ENGLEFIELD.

*** *The Duke of Feria to the King of Spain. Jan.* 3, 1597.

[Letters of Englefield and others. MS. vol. in my possession. f. 13.]

Señor,—

Por la copia que embie a V. M. de un memorial que dì al Señor archiduque, podra V.M. aver visto lo que siento acerca del pacificar la nacion Inglesa, que, con grande scandalo y deservicio de V.M., esta divisa y puesta en parcialidades; y esto va cresciendo de manera, que no se sufre aya dilacion en el remedio: y el unico, que siempre se me ha offrecido, es, apartar algunos de Flandes, que principalmente mueven esta maquina, que todos son entretenidos de V.M.: Y aora ultimamente he visto un memorial de inquietos, con firmas de 8. o 9. dellos (el qual lleva Thomas Fitzherbert) contra Ugo Oën, y otros que sienten con

Sire,—

In the copy, which I sent to your majesty, of my memorial to the archduke, your majesty will have seen my opinion as to the removal of the dissentions prevalent among the English, who, with great scandal, and to the detriment of your majesty's service, continue to be divided and split into separate factions. The evil is encreasing, in a manner that will admit of no delay in the application of a remedy: and the only remedy, that has ever occurred to me, is, to remove the principal agitators from Flanders, all of whom are supported by your majesty's bounty. I have recently seen a memorial (and it is now in the pos-

el in las cosas de Inglaterra, que ellos llaman confederados de los que estan en Flandes, como de los que ay in España, que son los mas confidentes y utiles que tiene la nacion, para el servicio de Dios, y por consiguiente de V.M.[1] Y juntamente con esto, he tenido aviso çierto, que sú santidad ha dicho al doctor Barret, rector del seminario de Douay, que estos mismos le avian escrito, que mandasse salir de Flandes al padre Guillermo Holt de la compania de Jesus, que es la persona de mayor servicio que V.M. tiene alli. Y esto he visto claro, que es encaminado al beneficio del rey de Escocia; y algunos se han descuydado a hablarme claramente en su favor; picados con il libro de succession, en favor, segun ellos dizen, de V.M., y de la señora Infanta; procurando por esto camino hazer odiosos los fines santos de V.M., y levantar al rey de Escocia por todos los me-

session of Thomas Fitzherbert), signed by eight or nine of these disturbers, and directed against Hugh Owen and those who think with him on the affairs of England; persons whom they denominate the confederates of those, who, whether in Flanders or in Spain, are in reality among the most trustworthy of the English exiles,—the most serviceable in the cause of God, and, consequently, in that of your majesty.[1] In addition to this, I have received positive information that his holiness told Dr. Barrett, the president of Douay College, that the same parties had written to solicit the removal from Flanders of Father Holt, a member of the society of Jesus, and the most efficient of your majesty's servants in that country. The object in all this is evidently to further the interests of the Scottish king. Nay, some, irritated by the book on the Succession, have so far forgotten them-

[1] [The document, here described as a memorial against Owen, is dated May 28, 1596, and bears the signatures of Westmoreland, Paget, and the others, afterwards mentioned in the present paper, together with that of a person named John Pancefoot. It is really an address to the nuncio, soliciting his good offices with the cardinal archduke, and requesting him, first, to obtain for the memorialists a restoration of their pensions, which have been withdrawn; secondly, to prevent the adoption of any measures to their disadvantage, until they shall have had an opportunity of defending themselves against the charges set forth by their adversaries. Those adversaries, they say, are Hugh Owen and "his confederates," who have already endeavoured to effect their expulsion from Flanders, and will, in all probability, renew the attempt. "Quod similia machinamenta adversus nos, non admodum longâ temporis intercapidine, in Hispaniâ variis ipsius (Oweni) ejusque confæderatorum conatibus (tametsi nuperrimè ad notitiam nostram devenerint) attentata fuerunt: et hæc ita excogitata hujusmodi naturæ extiterunt, ut spem nonnullam adversariis nostris præbuerunt, se brevi indè effecturos ut nostrorum singuli vel in exilium mitterentur, vel in remotissimas suæ majestatis in Europâ regiones exterminaremur. Quod profectò, omni industriâ adhibitâ, ut ad effectum deducerent moliebantur. * * * * * Et ut idem contra nos attentare denuò non possint," &c. (MS. in my possession.) That this anticipation of future attempts to procure their banishment was not unfounded, is evident from the present memorial.—*T.*]

dios que se pueden: Y assi conviene en todo caso apartarse las cabeças, que principalmente son Carlos Paget, Guillermo Tressam, Rodolfo Ligon; y que se embiassen luego con entretenimientos a Sicilia (pagandoseles lo que se les deve antes que salgan), porque, en qualquiera parte que sea mas cerca, haran malos officios; y no les falta traça para ello, ni en Italia a muchos inclinacion a lo, que V.M. mejor sabe. Pero que se les continuen los entretenimientos (como lo digo en aquel memorial que di al archiduque cardinal), y a los demas contenidos en el, que son el conde de Westmoreland, Timotheo Mocquet, Carlos Bruno, Ricardo Gage, y Juan Stonor, que la mayor parte d'ellos estan casados en Flandes; y haze compassion el desacomodarlos, hasta que aya reincidencia. Con todo esto, seria bien que se les diesse una reprehension, con aditamento que se les quitaran sus sueldos, y se echaran de los estados de V.M. El conde de Westmoreland no tiene otra parte que estimar, si no es la qualidad de sú linaje; y el desseaŕia, a lo que entiendo, servir en Milan, adonde no puede hazer daño, y, apartados los que le mueven, se sosegara; y los demas, que ay en otras partes, con esta demonstracion escarmentarean, viendo que se usa de otros remedios, differentes de la blandura con que hasta aqui se a procedido con ellos.

selves as even to speak openly in favour of that monarch, to denounce the obnoxious work as written to support the claims of your majesty and the infanta, and thus at once to discredit the holy purposes of your majesty, and to promote, by all possible means, the cause of the Scottish king. Hence, it will be well to remove the heads of the party, particularly, Charles Paget, William Tresham, and Ralph Ligon; and, having discharged whatever arrears of pension may be due to them, to send them, with some allowance, into Sicily. In any nearer spot, they will possess the means, as in Italy, your majesty knows, too many possess the inclination, to work mischief; and we can scarcely expect that they will fail to employ them. I would not, however, as I said in my memorial to the cardinal archduke, deprive either them, or the others whom I then mentioned, the earl of Westmoreland, Timothy Mocquet, Charles Brown, Richard Gage, and John Stonor, of their pensions. Of the latter, in fact, most have contracted marriages in Flanders; and, unless they should again offend, it would only excite compassion in their regard, to leave them entirely destitute. Still, it will be well to reprimand them for their misconduct, and to inform them, at the same time, that, should they again incur your majesty's displeasure, they will be deprived of their allowance, and at once removed from your majesty's dominions. With regard to the earl of West-

moreland, he possesses no claims to respect but those of his ancestry; and would gladly, I understand, accept a situation in Milan. There, without the power of being mischievous, and at a distance from the influence of his present associates, he would naturally sink into repose: while the rest of the party, convinced by this example that forbearance was at an end, would necessarily look for the adoption of severer measures, and learnto tremble for their own fate.

Y importa no menos que V.M. mandasse al general de la compania de Jesus con alguna occasion sacasse de aquellos estados al padre Criton, religioso de la misma compania, que es muy declarado por el rey de Escocia, y me ha hablado algunas vezes, con mucha passion, en sus cosas; y, siendo el hombre vehemente de sú natural, y con ser religioso, y hombre de buen exemplo, estimado de muchos, podria hazer alli mucho daño. Y en sú lugar estara muy bien el padre Gordon, Escoses, tio del conde de Huntley, que es hombre muy quieto, desapassionado, y desengañado de las cosas de sú rey, y que se conforma con los Ingleses que van por el camino derecho.

It is a matter of no less importance, that your majesty should command the general of the society of Jesus to avail himself of some favourable opportunity for removing father Creighton, a member of that society, who is not only an avowed advocate of the king of Scots, but who has also frequently spoken to me, with the most passionate feeling, on the subject of that monarch's affairs. As a man, in fact, of vehement temperament, religious, however, in his principles, and esteemed by many for his exemplary demeanour, his influence is capable of producing the most injurious consequences in Flanders: and his place, therefore, would be advantageously supplied by father Gordon, a Scotsman and uncle to the earl of Huntley, a quiet and dispassionate person, divested of his prepossessions in favour of his own sovereign, and agreeing with those among the English, who are proceeding in the right road.

En Lila es Dean un doctor Gif-

In Lisle there is a doctor Gif-

ford, hombre de buenas partes, aunque ambicioso, y poco cuerdo, segun entiendo, y intimo consejero del nuncio Malvasia. Hara siempre malos officios por ir con la suya adelante, y esperando crecer por este camino; viendo que en Roma no es odioso, y que es el hombre de mayor estimacion que sigue aquella parcialidad. Y aunque estas cosas tengo dichas en el papel que arriba . . . . ., por ver que si pierde tiempo en el remedio d'ellos, no he podido escusar de bolver a referir lo que me parece necessario al servicio de V.M., y bien publico. Nuestro señor, &c. —En Barcelona, 3 de Hennero, 1597.

ford, the dean of that place, a man of good abilities but of ambitious views, possessing, I am told, but little discretion, and yet the confidential adviser of the nuncio Malvasia. At Rome he is not in bad estimation. His character, in fact, stands higher than that of any other individual belonging to his party; and, to increase his importance, by accomplishing his purposes, he will never hesitate to effect any mischief. Though I have already mentioned these things in the paper which above . . . . ., yet, as the remedy is still delayed, I could not refrain from again referring to them, as matters which I deemed essential both to your majesty's service and to the public good. Our Lord, &c. —At Barcelona, January 3, 1597.

*** *Father Persons to Father Holt. March* 15, 1597.

† [MS. in the handwriting of Persons, in my possession.[1]]

Copia d'una lettera intercetta del padre Personio, scritta in cifra alli 15 di Marzo, del anno 1597, da Genua, al padre Gulielmo Holto, residente per allora in Brussella, intorno le cause vere della sua venuta a Roma. La lettera in lingua Inglesa commincia cosi:

Un ricordo per il padre Holto, et per altri amici confidenti, alli quali giudicarà conveniente di comunicarlo.

1°. Le cause principali di questo mio viaggio a Roma sono, primo, per stabilire, con sua santità et con il padre Generale della compagnia, tutti quelli punti, che parerano necessarii per sustentar li seminarii nostri in Spagna, Fiandra, et Italia, et la missione Anglicana delli padri della compagnia; et cosi tutte quelle cose che vi si offerirano costi, a proposito per questi fini, siano di facoltà, governo, privilegii, sustento temporale, ò altre cose simili, prego R.V., et l'altri amici che me ne voglino

[1] [There is a copy of this at Stonyhurst, MSS. Angl. A. ii. 24. Mr. Plowden has published a translation of it, in his Remarks on Berington's Panzani, Appendix, 350. Persons professed to print its substance in his "Manifestation" (page 48); but omitted the passage in which he speaks of the infanta. I shall have occasion to allude to this again, in a subsequent note.—*T.*]

advertire, con tutta la prestezza possibile; perche penso di procurare che la mia restata in Italia sia brevissima, et cosi ancho n'ho promesso partendome da Spagna, et per molte raggioni è necessario.

2. Si, più di questo, potrò far ancho alcun buon' officio nel comporre ò finire li tumulti del collegio Inglese in Roma, et l'altre controversie della nostra natione in altri luoghi, farò lo meglio che potrò, et spero che questo almanco s'effettuarà, che si darà a intendere a sua santità, et all' altri personaggii principali, quali sono le vere cause et fundamentali di queste discordie.

3°. Intorn' al negotio della corona d'Inghilterra, il proposito mio è proponere a sua santità il vero stato della cosa in sè, et di quanta necessità sia che sua Beatitudine ne pensi seriamente et presto, accioche, doppo la morte della regina, non venga il governo in mani peggiori; li danni grandissimi et pericoli evidenti che seguitarono si qualsivoglia principe heretico vi s'intrasse; et che li cattolici Inglesi solamente desiderano un re che sia sinceramente cattolico, senza rispetto di che sia ò Inglese, Scozzese, Spagnolo, ò d'altra natione; et che, in questo punto, anche loro dependono principalmente da sua santità.

4°. Di più, che il padre Personio non è contrario al re di Scotia, nè procuratore per il re di Spagna,[1] come alcuni (per farlo odioso) n'han dato informatione; mostrando per prova del primo (toccante al re di Scotia) li molti buoni officii, che il padre Personio, per molti anni, fece per il detto re di Scotia, mentre che v'era speranza che si faria cattolico; et nel secondo (toccante al re di Spagna) se mostrarà per testimonio del nontio apostolico, che sta in Madrid, il quale ancò n'ha scritto effettualmente a sua santità, che il padre Personio ha persuaso sempre al re di Spagna, et alli suoi ministri, che non li starà bene pretender il regno d'Inghilterra per se, et che già ha ottenuto promessa ferma di sua maiestà, che non lo farà, et il nontio n'ha visto le scritture, et è stato consapevole di tutto quello che il padre Personio ha parlato et trattato in questa materia, da tempo in tempo.

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[1] [This is not strictly true. That he was not commissioned to advocate the *personal* claims of the Spanish monarch, may be correct: but that he was the accredited agent of Spain, employed expressly to support the pretensions of the infanta, is evident from the preceding memorial of Englefield. From what follows, it is clear that his plan was, in the first instance, to propose the matter generally to the pope, to allow him to reflect on it "per un pezzo," *for awhile* (Mr. Plowden has overlooked these words); and then, in case of doubt or difference, to urge his own opinion in favour of the infanta and the cardinal Farnese. As an additional proof of his agency for the daughter of the Spanish king, I may add, that, in the following July, he wrote to Don Juan d'Idiaquez, mentioning an audience which he had had with the pope, and informing him that the latter appeared *as warm in the cause of the infanta as could be desired:* "y parece que su santidad esta tan adelante y desseoso en lo de la señora infanta, como se puede desear." Persons's own copy of the letter, in my possession. See also the following papers.—*T.*]

5°. Ultimamente, la conclusione con sua santità ha d'essere che la sola strada per accordar le cose sarà, che sua santità convenga con sua maiestà cattolica, per via d'alcuna buona compositione, in qualche persona idonea, la quale staria bene, tanto per sua santità, quanto per sua maiestà cattolica, et per li cattolici Inglesi, et Scozzesi, et per il re di Francia, et il re di Denamarca, et per tutti l'altri: ma che sia quella persona, ò persone, il padre Personio ha intentione di lasciarlo pensare molto seriamente da sua santità,[1] per un pezzo; benche, a parer mio, nissun' accordo sarebbe più utile, probabile, ò fattibile, *che nella persona della signora infanta, maritata al principe cardinale.*[2] Nientedimeno se voi et l'altri buoni amici, che stano costi, fussero d'altro parere, et havessero pensato altra cosa, con il modo d'effettuarlo, li prego che lo scrivano, porche io molto volontieri me conformarò anch' alli altri; et, in questa materia, penso di proceder molto lentamente, spettando quello che scriverano da costi.

Solamente me pare che s'habbia d'advertire, che, in questo negotio, non habbiamo di risguardar tanto li nostri desiderii, volontà, et appetiti proprii, quanto le tre conditioni specificate di sopra, d'utilità, probabilità, et possibilità, nella persona che si designa; et questo non solo per guadagnar la possessione della corona, mà ancho per defenderla dipoi, et per stabilir et mantener le cose. Et quest' è tutto quello che sè m'offerisce intorn' a questa materia: et cosi con raccomandarme cordialmente a tutti fo fine, raccomandando il secreto in queste cose, come vederete esser necessario. Nostro Signore Giesu Christo sia con loro sempre. Da Genua a 15 di Marzo, 1597. Vostro sempre,

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*** *Persons to Don Juan d'Idiaquez, concerning Paget, Morgan, and others. June 30, 1597.*[3]

[MS. in my possession.]

Que la parcialidad de Carlos Pagetto y Tomas Morgano aya sido, y sea, muy preiudicial al servicio de sú mag^d., para las cosas de Inglaterra.	*The faction of Charles Paget, and Thomas Morgan, the source of much past and present injury to the cause of his majesty in England.*
No ha sido poco daño a la causa	The circumstance of some of

[1] [Thus far Persons, in his Manifestation, has given this letter, or its substance, with tolerable fidelity: the rest, however, he compresses into the small compass of an "*&c.;*" and then, speaking of himself in the third person, gravely adds,—"Thus he writeth, as you see, in great confidence and secrecy, to his dearest friend" (f. 49a.).—Bishop Dicconson, remarking on the words, "as you see," shrewdly asks, "But who sees whether or not he has given an entire copy thereof?"—Marginal annotation, written by the bishop, in the copy of the Manifestation, belonging to Ushaw College.—*T.*]

[2] [These words are scored by Persons himself.—*T.*]

[3] [This document was accompanied by the letter, to which I have referred in

publica de todos los catolicos Ingleses, y a las cosas de sú Mag^d., tocantes aquel reyno, que algúnos ministros súyos no ayan entendido bien, o no tenido la cuenta que convenia con la parcialidad y faction de los dichos dos hombres; y muchos mayores daños seguirse han, si de aqui adelante no se mira con mas atencion en ella, como, por lo que ahora se dira, cada uno entendera.

La primera origen de desta disunion fué en el año de '82, quando, en una junta, que se hizo en Paris, del nuncio apostolico y del ambaxador de España, Juan Baptista de Texis, y el duque de Guysa, y del arzobispo de Glasco, embaxador de la reyna de Escocia, y de otros, se concluyo que, en la reducion de los reynos de Inglaterra y de Escocia, se avia de tomar el arrimo del rey de España, y no otro camino. Por confirmacion de lo qual, fueron embiados a Lisboa y a Roma el padre Personio y el padre Critonio, para pedir cierto soccorro para Escocia. Y porque avian sido excluydos desta junta los dos dichos Pagetto y Morgano, que se llamavan criados de la dicha

his majesty's servants having mistaken or disregarded the factious proceedings of these two men, has already been the occasion of no slight injury both to the cause of the catholics, and to the interests of his majesty, in England; and that still greater injury is likely to result from a want of attention to their designs in future, will be readily understood from the following facts.

The origin of their estrangement may be traced to the year 1582, when, at a meeting in Paris, attended by the nuncio, the Spanish ambassador, John Baptist de Taxis, the duke of Guise, the archbishop of Glasgow as ambassador from the queen of Scots, and others, it was determined that the conversion of England and Scotland should rest solely on the support of the king of Spain; and, in pursuance of this resolution, the fathers Persons and Creighton were ordered to proceed, the former to Lisbon, the latter to Rome, in order to obtain some certain assistance for Scotland. From this meeting Paget and Morgan, who were residing in France as the agents of the

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a note to the preceding paper. The letter is dated July the third. In it Persons tells Idiaquez that, although the tumult in the Roman college has been appeased, much distrust, as to the designs of the jesuits and of the Spaniards, still remains amongst the students; that this feeling is encouraged by the members of the Scottish party in Flanders; and that, for this reason, and in the hope of seeing the heads of the faction speedily removed, he has been induced to send him the present narrative. "Siendo la cosa fomentada por los de Flandres . . . . . fue la causa por la qual me resolvi de apuntar la narracion, que va con esta, del principio (*principal*) occasion, del progresso, y de los intentos de aquella parcialidad; la qual si no se remedia con apartandos otres de las cabeças (o Pagetto alomenos), no parece que avra fin." MS. in my possession, endorsed by Persons himself, "*Copia de mi Carta al Senor Don J. d'Idiaquez.*"—*T.*]

reyna de Escocia, y tenian corespondencia con dos secretarios súyos, Nau Frances, y Curle Escoçes, que residian con ella en Inglaterra, y tenian las cifras, y podian mucho con ella: hizieron tanto con ellos estos dos discontentos, que residian en Francia, y todos quatro juntos con la disdechada reyna, que la divertieron de todo affetto y confianza deste camino comenzado por via de España.

De todo esto es testigo hasta hoy el padre Henrico Samerio, Frances, de la compania de Jesus, el qual vive en Flandes, y en esta sazon se hallo con la dicha reyna en Inglaterra con nombre de medico, y veya las cosas que passavan. Tambien el duque de Guysa era testigo desto mientras que vivia; el qual dixo, con mucho sentimiento, a muchas personas, y particularmente al padre Claudio Mateo Loranes de la compania de Jesus, sú confessor, y al padre Personio, y mas, que los dichos Pagetto y Morgano avian puesto en disconfianza con la reyna a el mismo, en cierta [cosa], por demajado confidente de España, y de los padres de la compania.

Scottish queen, were excluded. Irritated at the affront, they applied to two of the queen's secretaries with whom they corresponded, Nau a Frenchman, and Curle a native of Scotland, who both resided with her in England, who possessed her cipher, and held considerable sway in her councils; and they so far influenced the views of these men, that the four in conjunction speedily contrived to alienate the mind of the unhappy queen, and destroy her confidence in the scheme thus set on foot for the employment of Spain. In proof of this, we have the still living testimony of father Henry Samerie, a French jesuit, who now resides in Flanders, and who, at the period in question, living with the queen in England, in character of her physician, was privy to all that passed. The fact was also attested by the duke of Guise in his lifetime, who said, with much concern, to several persons, and particularly to his confessor, father Claud Matthew Loranes, of the society of Jesus, to father Persons, and to some others, that through the instrumentality of Paget and Morgan, who had represented him as the sworn creature of Spain and of the jesuits, he himself, in a certain transaction, had been wholly deprived of the queen's confidence.

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[1] [This same story of the origin of Paget and Morgan's hostility to Persons and the other members of the Spanish party, is told by Mr. Plowden, in his Remarks on Panzani, p. 105. The reader, however, who will turn to the letter of father Oliver Manareus, written on the 18th of September, 1597, and ad-

Tras esto se sabe que los dichos dos tratavan algunas veces con el dicho duque de Guysa, para que tomasse en si de librar a la reyna de Escocia, y de metterla en el reyno de Inglaterra y Escocia, con las fuerças de Francia y de sus amigos Franceses, sin admitter a Españoles: y quando el duque no queria consentir a esto, si no que se resolvio de nuevo, en el año de '83, de pedir otra vez soccorro de sú mag^d. de España, Carlos Pagetto, no podiendo impedir esta resolucion, offreciose de andar a Inglaterra, para juntar tambien el conde de Nortumberland con el duque. Pero el llegando por alla, hizo officio contrario, divertiendole para que no se juntasse, como el mismo duque de Guysa lo dixo despues a muchos. Y el mismo Pagetto lo avia dicho en secreto a Guilelmo Wattis, sacerdote Ingles, quando estava para embarcarse para yr a Inglaterra, que tenia esta intencion: y mas, se sabe por el testimonio del sobredicho padre Samerio, y de otros, que Pagetto y Morgano avian, por cartas, divertido a la misma reyna de Escocia, y hecho que escriviesse al dicho conde, que, en ninguna manera, se juntasse con el duque de Guysa, ni con los Españoles, en esta empresa. Y esto hezieron Pagetto y Morgano en Paris, despues de reconciliados con el duque de

In addition to this, it is a known fact, that these men more than once endeavoured to persuade the duke of Guise to undertake the task of liberating the Scottish queen and placing her on the throne of England and Scotland, by means of French troops and French friends, to the exclusion of the Spaniards; and that, upon the duke's refusing to comply with this request, and resolving, in 1583, once more to solicit the assistance of the king of Spain, Charles Paget, unable to prevent the accomplishment of this determination, offered to go to England, and induce the earl of Northumberland to join the duke. On his arrival, however, his whole endeavour was to dissuade the earl from the project, as the duke himself afterwards mentioned to several. In fact, Paget, when on the point of embarking for England, had himself secretly informed William Watts, an English priest, of his intention to adopt this course: and not only father Samerie, but also several others inform us, that both he and Morgan so influenced the Scottish queen herself by their letters, that she wrote to the earl, forbidding him in any way to join either the duke of Guise or the Spaniards, in the proposed enterprise. — Such was the conduct of Paget and Morgan, even after their reconciliation,

dressed to father George Duras, will find some reason to question its accuracy. The letter, together with another from the same person, will be found in No. XVII. of this Appendix: both should be read in connexion with the present paper.—*T.*]

Guysa, y con el doctor Alano, y con el padre Personio; los quales, por el deseo que tenian de paz y union, y para que estos no esturbassen mas las cosas, les avian admittido a la participacion de todos los secretos. Pero estos núnca despues les fueron fieles, como parecera por las cosas seguientes.

Passada esta primera traycion de la diversion del conde de Nortumberland, la qual fúe causa tambien de la perdicion del conde, andavan cada dia los dos opponendose en secreto, por todas vias possibles (pero principalmente por via de la reyna de Escocia, la qual ya tenian muy ganada), a todo quanto la otra parte yva haciendo en beneficio de la dicha reyna, y de la causa publica, por via de España; quexandose, y dando por causa (como oy dia tam bien lo hacen), que los dichos Alano, y Personio, y Inglefildo, y otros sus parciales, no comunicavan con ellos las cosas de la reyna de Escocia, que les tocavan por ser criados d'ella. Por lo qual, los dichos Alano y Personio, el año '84, vinieron otra vez a Paris, a renovar amistad con los dos, y comunicarles de nuevo los negocios, con la occasion que el baron Pagetto, hermano de Carlos, avia venido de Inglaterra, y avia speranza que, por sú medio, se podia ganar a los dos: aunque succedio al reves, pues los dos ganaron a el baron a sú bando.

in Paris, with the duke of Guise, Dr. Allen, and father Persons, who, for the sake of peace and union, and, in order to prevent their further intrigues, had admitted them to a participation in all their secrets. That they never afterwards, however, proved faithful to their new alliance, will appear from the following facts.

After this first act of treason, in the case of the earl of Northumberland, an act which led ultimately to the destruction of that nobleman, they were daily engaged in opposing, by every possible means, but especially through the instrumentality of the Scottish queen herself, whom they had now gained over, whatever was sought to be accomplished by the opposite party, for the benefit of that princess and of the common cause, through the intervention of Spain. In justification of their conduct, they complained, as they still complain, that Allen, Persons, Englefield, and others of that party, refused to communicate with them on the concerns of the queen of Scots, in which, as her servants, they were more particularly concerned: and, to remove this ground of dissention, Allen and Persons, in the year 1584, came once more to Paris, intending to renew their friendship with these parties, and, at the same time, to acquaint them again with the situation of affairs. It was at the moment that the baron Paget, the brother of Charles, had arrived from England. By his

Y hecieron otra traycion, que fúe, que mientras que estavan tratando con el duque de Guysa, y con Alano y Personio, de procurar y aguardar algunas fuerças de España (de las quales ya avia mucha probabilidad que vendrian presto), los dos embiaron secretamente a Inglaterra un cierto espia, que avia sido muchos años de la reyna de Inglaterra en Italia y otras partes, llamado Guilelmo Parry; el qual descubrio lluego a la reyna todo lo que passava, como se save por sus confessiones, que estan impresas: y mas, la dixo como tenia commission para matar tam bien a ella, a sú tiempo, para llevantar a la reyna de Escocia, y para prevenir la invasion Española, la que los jesuitas pretendian. Y aunque por entonces la reyna le agradecio, y le regalo, toda via despues le hizo a hurcar: y este fúe el fin del doctor Parry.

Despues desto los dos attendian por mucho tiempo a hazer odioso, para con todo genero de hombres, el nombre de invasion Española, y a los que, a sú parecer, la procuravan, o la favorecian; dando nombre de invasion Española a todo genero de ayuda o soccorro, que se pretendia por via de España. Tam bien llamavan a Alano, Per-

influence it was hoped that both Charles and Morgan might be gained over: the reverse, however, occurred; for the baron was converted to their party.

Another instance of their treasonable conduct was, that, at the very time they were treating with the duke of Guise, Allen, and Persons, to procure a supply of troops from Spain, of the speedy arrival of which there was every probability, they secretly sent to England a certain spy, named William Parry, who had been many years employed by the queen of England in Italy and elsewhere. This man, as we learn from his published confessions, immediately disclosed to the queen whatever had passed; and moreover told her that he was commissioned, when the proper time should arrive, to murder her, to place the Scottish queen on the throne, and thus to prevent the Spanish invasion, which was promoted by the jesuits. The queen, though, at the time, she expressed her gratitude, and bestowed rewards on him, subsequently ordered him to be executed.—Such was the end of doctor Parry.

Afterwards, these two men were, for some time, engaged in rendering the name of a Spanish invasion hateful in the eyes of all, by applying it to every species of succour or support, which was proffered through the medium of Spain. Allen, Persons, Englefield, all who approved the Spanish plan, or advocated that mode of relief, they

sonio, y Inglefildo, y a los demas que seguian este camino de España, o favorecian a este pasamiento, confederados de los Españoles, y desyosos de la conquista y de la perdicion de sú patria: con lo qual les hazen odiosos, y, de la otra parte, acrecentavan sú parcialidad. Pero, mas que por otra via ninguna, tiravan muchos a sú bando, con decir que la misma reyna de Escocia aborrecia tambien de esta invasion, y de los que la tratavan; y que queria mas presto qualquier otro genero de remedio que no por las fuerças de España, como los jesuitas pretendian. Y a este effetto escrivia la dicha reyna una carta al duque de Guysa, en el año '85, diziendo que mirasse bien a los andamentos de los dichos jesuitas en sú causa, en quanto que tratavan por via de España; *reprehendiendo juntamente al dicho duque, y al arzobispo de Glasco, por que no avian acudido a entregar una cierta summa de deneros, a peticion de Morgano y Pagetto, a un cierto cavallero mozo en Inglaterra, el qual avia prometido a los dichos dos de matar a la reyna de Inglaterra, para la dicha summa de deneros, como ellos hacian creer a la reyna. Pero, por entender el duque y el arzobispo que el dicho cavallero era un perdido, que no haria nada, como en effetto seguio (no se pone aqui su nombre por ser aún vivo*[1]*), no quesieron entra-*

designated as confederates of the Spaniards, anxious for the conquest and the ruin of their country. Thus they contrived to attach odium to their adversaries, and, at the same time, to swell the numbers of their own party. But that which tended most effectually to increase their adherents, was a declaration which they published, that the queen of Scots herself was equally opposed to the invasion and to its abettors; and that she would avail herself of any species of relief, in preference to the intervention of Spanish troops, as proposed by the jesuits. To this effect, in reality, the queen herself wrote to the duke of Guise, in 1585, directing him to keep a watchful eye on the proceedings of the jesuits, as connected with any plan of Spanish interposition; and taking an opportunity, at the same time, to *reprehend the duke and the archbishop of Glasgow for having omitted to supply a certain sum of money, on the petition of Morgan and Paget, to a certain young gentleman in England, who, in consideration of the reward, had promised them, so they persuaded her majesty, to murder the queen of England. The fact was, that the duke and the archbishop understood that the party in question (his name is here omitted, because he is still living*[1]*) was a worthless fellow, and would do nothing, as it eventually turned out; and, on*

[1] [Here, in the margin of the MS., the initials J. G. are written.—*T.*]

gar el denero; por lo qual los dichos dos les procuravan una reprehencion, come se ha dicho.[1]

* * *

Y aunque estas differencias en la nacion Inglesa pareceran a algunos de poco momento, por ser de pocos, respeto de todo el cuerpo de los catolicos, toda via se halla por experiencia, que los effetos son muy dañosos, y de grande importancia y consequencia; porque tienen dividida y inquietada grande parte de la nacion, y mucha gente moza, saliendo de Inglaterra con buenos intentos, y caiendo en manos destos sediciosos, embeven tales impressiones, que nunca despues se les pueden quitar, hasta a ruynarles, y no tanto a si mismos, si no tambien a otros: y muchos se hacen finalmente enemigos, espias, apostatas, hereges, por esta via, como se à visto y cada dia se vee, cayendo de un mal a otro: de manera, que conviene sumamente que sú mag^{d}. y sus ministros miren con attencion en esta liga de inquietos y contrarios, antes que cresca y se confirme mas; porque, otramente se veran tantos inconvenientes, que no se podran facilmente remediar despues; y a la reducion de Inglaterra se hara mucho mas difficultosa, por la disunion de los catolicos, que estos

this account, refused to provide the money. Yet for this it was that Paget and Morgan induced the queen to reprehend them.[1]

* * *

Although to some these differences among the English may appear of little moment, as affecting but few individuals in comparison with the whole catholic body, yet experience proves that they are productive of the most injurious, and of course the most important, consequences. They keep, in fact, a considerable part of the nation in a divided and distracted state: while numbers of young Englishmen, leaving their country with the best intentions, but falling into the hands of these seditious parties, receive impressions, of which they can never afterwards divest themselves, until not only they, but others with them, are involved in ruin; becoming eventually enemies, spies, apostates, heretics; falling from one misfortune to another; and thus exhibiting a daily evidence of the effect of these associations. Hence, it especially behoves his majesty and his ministers to keep a watchful eye on this band of restless and impracticable spirits, before their numbers and their power increase. If this be neglected, inconveniences will arise, which will not easily admit

[1] [Can this passage admit of any other interpretation, than that the writer himself, and, if we may believe his statement, all the parties here mentioned, approved of the design to murder Elizabeth; that Mary was actively engaged in the scheme; and that the duke and the archbishop refused to supply the reward, *only* because they were not assured that the deed would be performed?—*T.*]

procuran. Y no ha sido poco daño a la causa publica de Inglaterra, y al servicio de sú mag^d. el no aver hecho caso hasta agora desta parcialidad; y quanto mas se delatara, tanto mas daño seguira. Con apartar uno o dos de las cabeças de Flandes, o quitarles los entretenimientos publicamente, por inquietos, estubieren ya los demas escarmentados, y otros avisados de no unirse con ellos: y si esto no se hace, o alguna otra demostracion de la parte de sú mag^d. y de sus ministros, no veo fin que se puede esperar del negocio. Haga nuestro Señor lo que mas convenga: a 30 de Junio, 1597.

Endorsed by Persons.

"De la parcialidad de Pageto y Morgano en la nacion Ynglesa. 1597."

of a remedy; and the reduction of England will become more difficult, in consequence of the dissentions which these men are producing among the catholics. Indeed, the little attention, hitherto directed to this party, has been the source of no small injury, both to the welfare of England, and to the interests of his majesty; and the longer the application of the remedy is delayed, the greater will be the mischief that will necessarily ensue. Were one or two of the leaders to be removed from Flanders, or publicly deprived of their pensions, as factious members of the community, the rest of the party might take warning, and others might be deterred from joining them: but if this, or some similar demonstration, be not made on the part of his majesty and his ministers, I see no prospect of a termination to this business. May our Lord ordain what is most expedient. June 30, 1597.

*** *Considerations addressed to the Spanish minister, Pegna, on the subject of invading England.* 1597.

[Original draft in my possession.]

[Previous to the abortive expedition against England, in 1597, Philip, by means of his ambassadors, appears to have consulted the leading exiles, as to the practicability of his design. Various answers were returned to his enquiries. Some approved of the invasion: others suggested the possibility of a secret negociation with Cecil: but all agreed in representing any attempt to annex England to the Spanish crown as utterly hopeless (MSS. in my possession). Philip consented to abandon his own pretensions, in favour of his daughter; and the expedition, as I have elsewhere mentioned, took place and failed.

The following paper is one of the answers returned on this occasion. It is evidently the production of one of the most clear-sighted of the party; and is valuable for the statement, which it contains, of the views and feelings of the catholic body in England.—*T.*]

✠

Of the Affair of England.

Albeit his catholic majesty have just cause and very good grounds,

as touching the invasion and keeping of England, yet, for all that, it seemeth that there are many things to be considered, whether it be expedient to undertake such an affair or no, for the charges that are to be made, and the uncertainty of the event, to be able to enjoy it in peace: for that the king of Scotland, who of certainty is the next of blood, although he be an heretic yet hath many friends, as well heretics as catholics, the which hope at last, before he will lose the kingdom of England, that he will make himself a catholic, as the king of Navarre hath already done, to obtain the kingdom of France, as now he hath. The king of Scotland, fearing that his catholic majesty will take upon him this affair, hath laboured, and still laboureth, to make friends, who may defend him, and help him to the gaining of England, and to defend him from the might of his catholic majesty: as already he hath, in his own kingdom, drawn to him and agreed with all the catholics who were against him, promising them liberty of conscience: so that, for the present, they give him exterior obeisance, to content the queen of England, and his ministers, and the heretics of his kingdom, as they have already done.

In England, he hath for him the greatest part of the nobility and people, as they may be named, if without their prejudice it might be done. He hath in like manner, in England, the greatest part of the catholics: for his catholic majesty hath for him in England no heretic; and, for the catholics, he hath only those who depend upon the direction of the jesuits, who are few;—nor all those, for because the jesuits are very few, and dare not labour openly, as the secular priests do, to gain a great number. And, *of four hundred secular priests which are in the kingdom, there are not thirty which follow the fathers' direction, to draw the catholics to embrace the designment of the catholic king:* and so the greater part are for the king of Scotland his succession unto that kingdom; as the catholics, in their religion, are guided by their function. And to be short, speaking as it were generally, those, that shall see (*seek?*) the succour of Spain to drive out heresy, would not willingly submit themselves under the dominion of the Spaniards, but rather to the king of Scotland, if he were catholic, as they hope he will be, to get the kingdom.

The king of Scotland hath, for this end, the friendship of the rebels of Holland and Zealand.

The king of Scotland in like manner hath a league made, two or three years ago, with certain princes of Germany, and with the king of Denmark, to help him to the obtaining of England, if the queen die, or any other would be prejudicious to him: and it is holden for certain that there are conspired with him the city of Hamburg, Lubec, and

Osterling, for the injury the queen of England hath done them, depriving them of their house and liberty in London, and pilling their ships upon the sea.

The duke of Lorrain, and all the princes descended of his house, as the dukes of Guise, Mayenne, Dalbusie, and others, will aid the king of Scotland with all their power, as being newly descended of that house.

The duke of Florence and Bavaria, as his kinsfolks, will help him, as also will those do, who are emulous of the greatness of Spain.

But above all, the king of France, although he be not a great friend to the king of Scotland, yet, for the ill he wishes to the Spaniards, he will spend himself even to the very shirt, before his catholic majesty should plant himself in England; especially since that England hath such interest in France as to bear the arms and title of France: and so he will help the king of Scotland as much as he may possibly.

For this reason it seemeth that it will be more hard to hold England, than to enter it; although to enter it, and to possess it, will be a thing very hard: notwithstanding, his catholic majesty shall find many that will help him to enter, who, perhaps, will be against him that he should possess it.

These reasons well considered, it is to be deliberated whether it be better to go forward in this attempt, or to accord with the king of Scotland upon reasonable and profitable conditions: for if, by the forenamed helps, the king of Scotland chance to prevail, his catholic majesty shall have against him France, England, Scotland, and Holland, which will be potent by sea and land; and so shall be in danger to lose all the Low-Countries, and to hazard Spain and the traffic of the Indies.

If his catholic majesty accord with the king of Scotland, he may make him catholic; which he may very probably bring to pass, to possess England in peace, and to have such league and condition of him, that he will give himself wholly to his catholic majesty; whereby he may easily make himself lord of the sea, obtain without difficulty Holland and the rebelled countries, put Spain in assurance and his navigation to the Indians, force France to make peace, and so settle all Christendom in peace.

If, in the invasion of England, his catholic majesty in the beginning should suffer any disgrace or repulse, and that the king of Scotland, according with the foresaid princes, should have sufficient aid to get the crown of England, he will not agree so easily afterward, nor with so good conditions, with his catholic majesty.

It is holden for certain that the people of England, in whom consisteth the force of the kingdom (as in Scotland it doth in the nobility), will not agree to give themselves to any whose right is doubtful, or

whereby there might follow civil war for the right of the kingdom (as there will follow betwixt the houses of Hertford and Derby, if any of these would take the crown for himself, and if his catholic majesty [contend?] with the king of Scotland); and this by experience which that people hath had, by the civil wars betwixt the houses of York and Lancaster, and by the pretence to the crown, in which there died, in few years, many hundred thousands: and they knowing generally the manifest right of the king of Scotland, being descended of the eldest sister of Henry the eighth; probably they will all follow him: and this is already the common voice of the people.

No. XIV.—(*Referred to at page 35.*)

*** *Breve of Pope Clement VIII. to the Nuncio in Flanders.*
July 12, 1600.

[MS. in my possession.]

Venerabili patri Octavio, episcopo Tricaricensi, nostro et apostolicæ sedis nuncio in Belgio,

Clemens P.P. VIII.

Ven. frater, salutem et apostolicam benedictionem. Quo loco Angliæ regni res sint fraternitas tua videt, et quàm verisimile sit, ut brevi magna commutatio fiat, ex illius obitu, quæ tam nobile regnum occulto Dei judicio tam diù afflixit: quantum verò momenti in eo positum sit, quisnam ad ejusdem regni gubernacula succedat, et quæ ex novo rege aut insignes utilitates, aut gravia detrimenta, ad christianam rempublicam redundare facilè possint, etiam pro tuâ prudentiâ intelligis. Itaque, pro nostro pastorali officio, omnia circumspicientes, valdè soliciti sumus, ut, cum temporis maturitas advenerit, rex illius regni existat, qui se catholicum profiteatur, et verè catholicus sit; quique nobiscum, et cum hac sanctâ sede, in quâ meritis imparibus præsidemus, et veræ fidei professione et sinceri amoris glutine sit copulatus. Quæ igitur possumus adjumenta jam nunc (Deo authore) et paramus et adhibemus: nam et ad Anglos catholicos scripsimus, eosque efficacitèr hortati sumus, ut, si unquam aliàs, nunc maximè concordes et unanimes sint, ac, quibusdam terrenis affectibus et perturbationibus semotis, ad solam Dei gloriam, veram regni utilitatem, et fidei catholicæ conservationem aspiciant; neque se ad hæreticorum consilia adjungi, eorumve dolis et astu se de suâ constantiâ dimoveri, patiantur. Scribimus etiam ad archipresbyterum Angliæ, ejusque assistentes, et cæterum clerum, ut tam necessariam catholicorum, præsertim nobilium, unionem summo studio conservent, eosque omni officii genere permoveant, ne cui suffragentur in hoc gravissimo negotio, nisi verè catholico, ut, quod summoperè in Domino cupimus, sancta et salutaris novi regis creatio, Dei adjutrice gratiâ, consequatur. Quia verò non dubitamus multùm omninò ad

eam rem conferre posse fraternitatis tuæ curam et diligentiam, cum et loco propinquo sis, et ad omnes eventus pervigilis, mandamus tibi, ut, statim atque audieris miseram fœminam migrasse è vitâ, scribas ad catholicos regni Angliæ, nostro et hujus sanctæ sedis nomine, ut fraternam concordiam et consensionem in vinculo charitatis quàm diligentissimè conservent; neve se artificio et fallaciis hominum, quæ sua sunt non quæ Jesu Christi quærentium, à mutuâ et, eo potissimùm tempore, pernecessariâ unione separari, aut ullo modo dividi permittant; ne cuiquam, in re tanti momenti jus sibi quovis modo assumenti, faveant; ne sua studia ac suffragia in quemvis conferant, nisi, ante omnia et super omnia, conservationi, stabilitati, et libertati catholicæ fidei cautum sit in eo regno, isque rex fiat qui in gremio ecclesiæ catholicæ (cujus caput est hæc sancta Romana ecclesia, omnium ecclesiarum mater et magistra) se vitam victurum sanctè polliceatur, et firmiter caveat, et inviolatè observet, et denique, cum cæteris catholicis regibus, nobis et successoribus nostris veram obedientiam præstet. Rei gravissimæ magnitudo, Dei honor, zelus avitæ religionis, diuturnæ regni nobilissimi calamitates catholicos illos meritò admonere debent, ut religionis causam antiquissimam (ut par est) habeant, et in eo negotio, in quo omnia sunt, eam circumspectionem et cautionem adhibeant, quam nos de illorum virtute, prudentiâ, pietate, et constantiâ, nobis meritò pollicemur. Tu ergo quâ soles diligentiâ mandatum nostrum cura; et omnes partes ad rei et temporis opportunitatem vigila; nihilque operæ, studii, laboris, prætermitte, ut, quod nobis, supra quàm dici potest, cordi esse animadvertis, Deo benè juvante, ad ipsius gloriam prosperè ac felicitèr eveniat. Datum Romæ, apud S. Petrum, sub annullo Piscatoris, die 12 Julii, anno Jubilæi, 1600; pontificatûs nostri anno nono.

*** *Persons to the Nuncio, July* 20, 1600.

Instructiones quædam ad ea meliùs exequenda, quæ tribus brevibus apostolicis de rebus Anglicanis continentur.

[From the rough draft, in the handwriting of Persons, Stonyhurst MSS. Ang. A. ii. 62.]

1°. Acceptis perpensisque brevibus apostolicis, summa quædam præcipuorum capitum excerpenda erit, quæ archipresbytero Anglicano, suisque assistentibus, et patrum societatis qui in Angliâ degunt superiori, per fidum aliquem nuncium, quamprimùm fieri potest, communicetur; à quibus vicissim dominatio vestra certior fiat de præsenti rerum Anglicanarum statu ac conditione, et quibus potissimùm deinceps modis inter se literarum nunciorumque commercia de rebus necessariis tutò, ac sine periculo, haberi possint.

2°. Intelligere etiam D.V. curabit, quâ ratione, quibus viis ac mediis,

et quibuscum hominibus præcipuè vobis in Angliâ agendum erit, post obitum reginæ: et interea temporis, enitendum erit prudenter, ut ad hos ipsos homines, qui postea tam necessarii erunt, aditus aliqui modò fiant, quò eis, tunc cum opus erit, utantur catholici benignioribus ac paratioribus.

3°. Omne studium in eo ponendum erit, ut, dum reginæ obitus expectatur, religioni catholicæ (ex cujus incremento spes omnis meliorum temporum pendet) diligentèr, ut hactenùs, propagandæ insistatur, apud nobiles præsertim, ac potentiores, per quos fides, pietasque, et hæc ipsa de quâ agimus regis catholici futuri electio, maximè promoveri poterit.

4°. Ad hoc autem ipsum cum nulla res alia magis necessaria censenda sit, quàm animorum unio et omnium catholicorum inter se conspiratio, maximè verò presbyterorum, qui aliorum duces sunt, ac esse debebunt, curabit studiosè dominatio vestra ut unio hæc atque concordia, his temporibus rebusque unicè necessaria, modis omnibus conservetur ac foveatur.

5°. *Ad quam melius conservandam ac stabiliendam*, cum S.D.N. ita pridem, catholicorum rogatu, *archipresbyterum* literis apostolicis *constituerit*, aliisque omnibus sacerdotibus ad hunc ipsum finem præfecerit, eique duodecim assistentes, seu adjutores, consultoresque adjunxerit, ut cæteros regat, ac disciplinâ ecclesiasticâ in pace contineat, ad dominationis vestræ prudentiam spectabit videre quibus in rebus, quibusque modis, dicto archipresbytero suisque assistentibus, in hoc onere sustinendo, solatio ac adjumento esse possit.

6°. Si qui verò invenirentur (quod non speratur) qui pacem hanc et unionem perturbarent, vel superiorum dictis aut monitis vel etiam præceptis non obedierint (*sic*), vel suum judicium ad aliorum offensionem et catholicorum divisionem sequi vellent, hos dominatio vestra modis omnibus juvandos ac reducendos pro suo virili curabit; reluctantes verò aut pertinaces censuris etiam ac disciplinâ ecclesiasticâ coercebit.

7o. Ea mens ac voluntas sanctissimi domini nostri est, ut D.V. pro temporum ratione negotiorumque momentis, rebus Anglicanis invigilet, easque suâ authoritate ac prudentiâ istic, prout opus erit, moderetur, suamque sanctitatem de successu progressuque, oblatis occasionibus, certiorem faciat. Romæ, 20 Julii, 1600.[1]

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[1] [That Persons and the other individuals belonging to his party had seriously determined, if possible, to set aside the Scottish succession, in favour of a catholic sovereign, the preceding documents abundantly testify. Of this fact, indeed, no doubt has ever existed: but I notice it, because Persons afterwards endeavoured to persuade James, that the publication of "Doleman's" treatise, and the other steps, taken by the Spanish party, were never intended to produce any real effect on the succession; that they were employed merely as feints, for the purpose of driving him to seek a reconciliation with the church;

No. XV.—(*Referred to at page* 38.)

*** *Dr. Barrett to Persons, April* 10, 1596.

[Original in my possession.]

Loving father,

The causes of these shameful flames I find to be these: Imprimis, that scholars were permitted to deal in public affairs, for a cardinal, for faculties, &c: wherein, being persuaded that the society was of a contrary mind, they conceived an indignation and aversion, as though the fathers were enemies to them, to their cause, and their country; and so the foundation of peace and unity clean overthrown, and a faction cunningly brought in, before the rector suspected. Yea, the rector, of ignorance, was as earnest as the others, until they were gone too far, that it was too late to recall them.

2°. Some of the same faction here in Rome were in hope to have gotten the fingering of the rents, under the name of a congregation, and promised the heads of this trouble in the college offices and rooms to their contentment, and many privileges to the scholars.

3°. There is one vehemently suspected for a false brother, sent of purpose.

4°. I find such here as I expelled out of Rheims.

5°. I find very many received at all adventure.

6°. During these troublesome broils, where neither study of learning, nor exercise of virtue keepeth them occupied, no marvel if some young men would willingly look back to the world, and take any occasion to be gone with the rest.

7°. I find their heads full of false bruits and differences betwixt yours

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and that, notwithstanding any outward demonstrations to the contrary, the whole party had always secretly resolved to receive him as the undoubted heir to the throne. "The principal catholic English," he says, "that resided abroad, and had principally laboured for your majesty's safety and advancement, both before and after the death of your renowned pious mother, growing into fear and despair of that which most of all they desired, concerning your majesty's inclination in religion, resolved, *for the last spur of irritation that way*, to cause the book of Succession to be written, giving the name of *Doleman* thereto, by allusion to *Vir Dolorum*, thereby to insinuate the grief and sorrow they felt, in being forced to come to this last means, in respect both of your majesty's good and their own; which yet they did *with reservation still of the greatest inward affection, and hearty loyal duty, that could be: which hath appeared also by their actions, in the prompt and ready admittance of your majesty to your said succession*, notwithstanding it pleased not Almighty God, for the present, to give them their greatest wish about religion" (Persons to king James, Octob. 18, 1603, apud Stonyhurst MSS. Ang. A. iii. 36). It is needless to remark the dexterity, with which the faction, that had opposed the Scottish monarch, is here confounded with the catholics who acknowledged and received him.—*T.*]

(jesuits) and ours (priests) in England: yea, the selfsame faction, [which is] at Brussels, to be here against the Spainers, and such as take that way.

8o. They are gone so far, and have committed so many outrages, that they despair to go back, either in yielding here, or going hence; and the multitude [being] sworn together, maketh them more bold.

These causes and some other I showed to his holiness, in more ample manner than I can stand to write now; and withal made it plain that many of those youths were pitifully deceived: craving pardon most humbly for such as would come to acknowledge their faults, and beseeching also his holiness to have consideration of those, that have been brought up heretofore, or may be hereafter, in the college; lamenting their madness, that, under the colour of doing good to the college and our country, do take the ready way to overthrow both this and all other colleges; yea, and the work so well begun in England:—the which I showed to consist in the concord of the workmen, and these men to make a division, not only betwixt us and the fathers, but betwixt ourselves. And concerning the first part, I told my mind of the obligation and duty, wherewith, for many respects, we are most bounden to the society, and could not break with them, without wonderful shame, and the undoing of God's cause in our country. Concerning the second, I declared to be against these few factious heads the whole college at Douay, the colleges in Spain and at St. Omers, the priests in England, and generally all our nation catholic, a few only excepted, by whose ill counsel these youths were deceived.

This was the effect of my speech to his holiness, who answered much to my contentment, willing me to attend to the remedies, and to consult with the cardinal protector; and his holiness would allow of that, we should conclude. So, upon Thursday last, the cardinal, father General, father Tyrius, the rector, and myself have agreed upon the remedies, expecting his holiness's authority for the execution of the same. Thus it standeth, and, within few days, we hope for an end.

Well, father, there must needs be a rector that is skilful in the affairs of England, and such a one as can and will give correspondence to the colleges and your friends abroad: and besides, he must be a man of gravity, of countenance, and of authority; and such as deal for matters of England, and for the colleges in Flanders, must concur with your friends at Douay; otherwise, it is not in me to help, nor in all your friends there.—O, but these be generalities. Well, I find here and there many particularities, that must be amended, whereof I mean to confer with father General, whom I find most willing to hear me; and you will

concur, I hope. This rector[1] *will never be able to rule in this place. Many things I can tell you of, that must be amended, concerning this college, in the manner of government, and concerning better correspondence with the college of Douay, or else you will never have peace. Trust those that be your true friends, although they write not always to your mind; and beware of those that speak fair, and make all well, and condemn all but themselves.*

Your letter in December I have: and, for Worth. (Worthington?), *you little know the man, I see by your letters, nor shall not know by me, except we hap to meet. Fare you well, and remember the poor college at Douay, from whence I want such letters as father Creswell required. God grant they do any good.* Rome, the 10th of April, 1596.[2]

Your own R. Barret.

*** *Agazzari to Persons, Aug.* 27, 1596.

[Extract from the Original in my possession.]

* * * * *

Tertium quod isti factiosi prætendere videntur est, regis catholici conatibus se opponere, quod multa et satis aperta signa ostendunt: loquuntur enim sæpiùs et mordaciter contra libellum de Successione ad coronam Angliæ, et contra illius auctorem, nempè, ut ipsi existimant, contra P. Personium, cujus nomen vix æquo animo ferunt. Omnes de malis Hispanorum successibus, ut nuper apud Cadiz, lætari videntur; de bonis, ut paulo antè apud Caletum, tristantur, &c. Nescio an odio habent societatem propter Hispanos, an, è contra, Hispanos propter societatem, vel potiùs utrosque propter Scotum, vel Gallum, vel propter quid deterius. Deo, qui videt in corde, ista relinquo.

* * * * *

Dominus Barrettus parat discessum ad suos quotidie; et in istis turbis stetit, ut mihi videtur, candidè et sincerè pro parte nostrâ, hoc est, pro parte justitiæ et veritatis: et licèt non multum effecerit, est tamen aliquid, quòd habeamus testem omni exceptione majorem de nostris et illorum actionibus. * * *

Roma, 27 Augusti, 1596.

R. V. Servus inutilis quidem, sed amantissimus in Christo,

Alphonsus Agazzarius.

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[1] [Jerome Fioravante. He succeeded Mutius Vitelleschi, May 27, 1594, and was removed a few weeks after the date of the present letter. He was followed in the rectorship by Agazzari, who was appointed, for the second time, May 17, 1596.—*T.*]

[2] [Persons, in his Briefe Apologie (54[b]), professes to print this letter: but his object, both there and in other places, is, to free the government of the society from all imputation; and, accordingly, he suppresses the whole of the passage which I have printed in italics.—*T.*]

Supplicatio Sacerdotum et Alumnorum Collegii Anglorum in Civitate Romanâ ad Audoënum Lewis, Episcopum Cassanensem.[1]

[Original in my possession.]

Cùm inter alia plurima sacerdotum in Angliâ pro fide laborantium incommoda, reverendissime præsul, illud maximè deplorandum accesserit, quòd neminem in patriâ episcopum, prælatum, aut ordinarium ullum habeant, qui de rebus ecclesiasticis et sacramentorum administratione disponat, imò, nec, quod gravius est, habere possint; apostolica sedes non minùs piè quàm amanter facultates quasdam et jurisdictionem, pro cujusque dignitate, doctrinâ, et capacitate, habito respectu ad loca et personas cum quibus agere oporteat, iisdem sacerdotibus distribuendas concessit. Quam facultatum distributionem qui justè et fideliter exequi

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[1] [This paper was drawn up by the students, in furtherance of one of the objects mentioned in the first sentence of Barrett's letter. It was followed by another to the protector, representing to him the inconvenience felt by the English catholics, in being obliged to recur to him in every case of difficulty or doubt, and requesting him to delegate so much of his authority to Dr. Lewis, as would enable the latter to decide all matters of ordinary occurrence (MS. copy in my possession). Chambers, in his MS. account of the disturbances in the college (Stonyhurst MSS. Ang. a. ii. 45), mentions this document as a petition "*in gratiâ episcopi*," without specifying its immediate object: but Persons, who professes to quote Chambers, and who has actually endorsed my copy of the paper, confounds its subject with that of the address which I have here printed, and describes it as a memorial *entreating the protector to use his influence with the pope, and to obtain for Lewis the power of granting faculties to the priests in England* (Briefe Apologie, 49b). Nor is Chambers himself much more correct. As the reader will see, he was one of those who had attached their signatures to the memorial printed above: but he subsequently separated from his associates, and, to prove the sincerity of his conversion, wrote a somewhat impassioned history of what had occurred. Having described the origin of the disturbance, he proceeds to inform us that, after a short struggle, he was reluctantly induced to join the discontented portion of the students; that, the following night, he was taken to the room of one of the scholars, where he met several others; that the above address to Dr. Lewis, with which he then for the first time became acquainted, was produced, and signed by all present; and finally, that, in this address, they entreated the bishop *to aid the college and the protector, to advise the latter on the state of the missions and the faculties to be granted to the missioners, and to undertake the duty of placing before him, not only the necessities of the other colleges, but also the doubts and difficulties of the catholics in general.* "In hoc scripto petierunt ab episcopo, ut adesset collegio nostro et illustrissimo protectori, quem ipse admoneret tàm circa missiones et discedentium facultates, quàm circa collegiorum et reliquorum nostratium difficultates" (Stonyh. MSS. ibid. 45).—I will only add, as an additional instance of the little reliance to be placed on the accuracy of these writers, that a memorial to Aquaviva, which Persons, on the alleged authority of Chambers, describes as a petition requesting the General to solicit the protector's good offices with the pope in behalf of Dr. Lewis (Briefe Apol. 42, rectiùs 50), Chambers himself really assures us was nothing more than an exculpatory address, drawn up by two of the scholars who had signed the instrument which I have printed above. "Interim duo sacerdotes memoriale (ad R. P. Generalem) statim expediunt, ut se suosque excusent." Stonyh. MSS. ibid.—*T.*]

studeat, cùm exactam patriæ nostræ statûs notitiam, specialemque sacerdotum cognitionem exigat, ut communi et indifferenti animo omnes complectatur, et collegiorum statum et institutiones, cum omni zelo et charitatis fervore, conservare et promovere contendat (quæ omnia in piæ memoriæ illustrissimo cardinali Alano abundè supererant), illud firmum ratumque habemus, à nullo extraneo, nostro licet statui favente, multo minùs impediente, debitè hoc munus administrari posse. Et ut de illustrissimo protectore nostro cardinale Caietano taceamus, quem, pro eximiis erga nos Anglos meritis et beneficiis collatis, veneramur, et quàm maximo honore prosequimur, de patribus societatis, ex quorum relatione illustrissimus protector cunctas res nostras disponit, intrepidè affirmare possumus, quòd, sine magnâ sacerdotum et laicorum ubique fere commorantium perturbatione, gravique statûs nostri incommodo, hoc munus illis imponi non possit: cujus rei signum illud sufficiens sit, quòd nunquam defuerunt æmulationes in Angliâ et privatæ discordiæ inter eos et sacerdotes nostros, ex quo causam nostram susceperunt; hinc solùm exortæ, quòd multò majorem curam habuerint propriæ familiæ, quàm nostrûm; et ampliores illis facultates et privilegia obtinuerunt, quàm nostri sacerdotes unquam habuerunt.[1] Unde, licèt in regimine collegii omnibus non mediocriter satisfaciant, cum prædictæ conditiones in illis omninò desiderentur, pro facultatum nostrarum dispensatoribus ab omnibus ineptissimi judicantur. Cujus rei intuitu, nos omnes, quorum nomina infra scripta habentur, patriæ conditionisque nostræ statui in hac parte consulentes, totis nervis contendere decrevimus, idque ratione officii nostri, ut hæc facultatum nostrarum dispensatio reverendissimæ dominationi vestræ, huic muneri, propter dictarum circumstantiarum adjunctionem, aptissimæ, cum plenâ et integrâ potestate conferatur. Cùm enim reverendissima dominatio vestra primus fuerit, qui collegium nostrum in hunc statum reduxerit, illudque non brevi temporis spatio gubernarit; [cum] Anglus sit, et erga Anglos adeo tenerum affectum gerat, tantam utilitatem nostræ causæ allaturos nos speramus, si, quod justè petimus, obtinere valeamus, ut, si aliàs tanti beneficii compotes fieri non possimus, ad sanctissimi Domini nostri pedes nos prosternere non dubitabimus. Illud igitur

[1] [It is certain that this was one great source, not only of the jealousy with which the secular clergy were led to regard the parties in question, but also of much inconvenience, if not occasionally of some abuse. Birket, when archpriest, writing to More, his agent in Rome, says, "It is not amiss if you move his holiness, in my name, to give me as ample faculties as the religious have, viz., that I may give to some of mine faculty to give a plenary unto them, whom they hear first in confession: item, the same to them whom they hear in their death-bed; *because these prerogatives draw away our ghostly children.*"—Decemb. 15, 1611.—Orig. in my possession.—*T.*]

omnes unanimes à charitate vestrâ postulamus, ut non solùm liberam nobis facultatem in hoc negotio laborandi faciat, sed, si tantum onus pietati vestræ imponatur (onus enim reverà erit), pro communi bono et desolatissimæ patriæ utilitate, libentèr illud suscipiat; et denique, si quos invenerimus huic justissimæ petitioni nostræ adversantes, qui fortasse non deerunt, auxiliatricem admoveat manum: et nos vicissim in omni officii genere reverendissimæ dominationi vestræ obsequentissimos semper inveniet.

Reverendissimæ dominationis vestræ

Obsequentissimi filii,

[*Here follow the signatures, which will be seen in the accompanying fac-simile.*]

No. XVI.—(*Referred to at page* 39.)

*** *Persons to Holt. May 5,* 1597.

[MS. in my possession.]

My Reverend Good Father,—

This letter shall be you, I hope in God, of great comfort, to understand thereby of the happy end, which his divine goodness hath given at length to these troubles and disagreements here in Rome; which, in truth, as I found to be greater and more deeply rooted than ever I could imagine (though I had heard much), so are we more bound to Almighty God for the remedy, which I believe verily to be found, and from the root; as you would also think, if you saw that which I do see; and so do many more besides me, that had far less hope of the redress than ever I had.

The means have been, next to God's holy grace, certain large conferences that we have had alone (I mean all the aggrieved part with me together); wherein we have passed over the whole story of these troubles, and the causes of grief, discontentment, contention, suspicion, emulation, or exasperation, that have been given or taken on both sides: and as, on the one side, I have been content to hear the scholars, and to yield them reason, where I thought they had it on their side, so, on the other, have they also been content to hear me, when I thought my reason was better than theirs; as also to distinguish where I presumed that, with some reason, there might go accompanied also some passion, suspicion, exaggeration, or sinister interpretation: and so finally, God be thanked, we are come to a full end and conclusion; and all inconveniences, that before had either happened, or were so pre-

[1] [I have given this fac-simile, because a charge was once insinuated against Dodd, to the effect that he had forged the document. Specimen of Amendm. 171.—*T.*]

sumed, be fully remedied on both parties. The scholars, on their sides, have fully satisfied me; and I have procured to remove all impediments, on the behalf of the society, and so shall do for the time to come; so as I heartily hope that never the like shall happen again, and that Almighty God will perform in this thing also, for the good of our country, that merciful point which, in all other like temptations, he is wont to do, as the apostle saith, "*Faciet etiam cum tentatione proventum;*" and that the union of this college will be better, and greater, and more solid hereafter, than ever it hath been hitherto, from the beginning. And assure yourself, my good father, that, in untwisting of this clue, and unfolding matters past, I have found errors on both sides, *saltem in modo agendi*, which, you know, may stand with the best intentions in the world. And who will marvel at this, seeing the one were strangers to the other, and the other had to deal with strangers? Each part did so much as they knew, and could do no more. Suspicions, aversions, and exasperations were daily multiplied, *et arbiter pacis* was not amongst them. And, to conclude, methinketh that I do see that, if many of the things, that have passed here, should have happened in the quietest college that we have either in Spain or Flanders, they might have put the peace out of joint (supposing our English disposition),—and the suspicions, that such things might bring with them, perhaps more than the things themselves. Well, I can say no more in this than St. Peter, in the Acts of the Apostles, saith of the sufferings of Christ, God had appointed that so it should be, "*implevit autem sic.*" Even so God had determined that we should pass this cross; and so he fulfilled it by divers men's errors. And as, by his infinite providence, he brought out so much good to all the world, of the former case, so hope I that he will draw no small good also to our country, in time, of this.

Wherefore there remaineth nothing now, but to give thanks to Almighty God for this singular mercy of his: and that you signify the same there to all those of our nation, as also to any others that have heard of these troubles; for that this union here is not made only within the house, but with all in like manner abroad, both of our nation and others, and, namely, with the fathers of our society everywhere: and the success hath so contented his holiness and all the cardinals of the town, as you would wonder. And this day, being the Ascension of our Saviour, the cardinal vice-protector, Borghesius, has been here at the college himself, and signified his exceeding great contentment of this event. And the same joy, I doubt not, but that cardinal Cajetano, the protector, who is expected very shortly, will receive also at his coming: so as now we must assist, all of us, to appease all

rumours that have grown abroad of these stirs, in every place, as also to heal such griefs and aversions as thereof have ensued; and, in particular, to restore and conserve the good name (as much as in us lieth) of any that may have been touched by former reports: and so doing, I trust in Almighty God that every day we shall take much comfort one of another, and that you shall have confirmation from me, while I stay here, of the progress of this good union, and that I shall leave the college also, at my departure, as it may endure. And this is all I have to say at this time. The Lord Jesus be with you ever; to whom do you commend me, as also to all friends and countrymen with you, to whom I pray you communicate the effect of this letter. From Rome, this 5th of May, 1597.[1]

Yours ever, in Christ our Saviour,

Robert Persons.

*** *Edward Bennet to Dr. Hugh Griffin, provost of Cambray. May* 16, 1597.

[Copy in my possession. Endorsed by Persons.]

Right Worshipful,

In my last I have written unto you of father Persons' coming to Rome; since which time I have forborn writing, because I would first see to what event our miseries would come unto; which now at last, to my no little ease, and great comfort, the contentment of the scholars, the good of our country, I doubt not, I have seen, whereof now, by the first opportunity, I thought good for your comfort to make you partaker. Wherefore, that you may the better understand the series of our proceedings, in ending of this business, you shall first understand that he, whom we most feared, and whom we accounted for our greatest enemy, hath been our greatest friend; yea, and the only man that hath

[1] [Here is a letter, penned immediately after the accomplishment of a great work, and flowing from the fulness and the sincerity of the writer's heart. How different from the passionate invectives, the defamatory statements, and the distorted narratives, contained in the Briefe Apologie, the Story of Domestical Difficulties, and the various letters and memorials, which he afterwards composed on the same subject! But there, the spirit of party was at work, justifying its own acts, reviling its opponents, and "condemning," as Dr. Barrett expresses it, "all but itself." Here the veil is withdrawn, and we behold the man as he is. We have him acknowledging the errors of both sides, seeking to heal the divisions of the past, and inculcating, with a holy and a beautiful solicitude, the duty of protecting every name of a former adversary from reproach. As an historical testimony, effectually subversive of all the other statements of Persons on the subject to which it refers, this letter is highly important: but as an evidence of what nature really is, when unwarped by the prejudices and the passions of party, it assumes even an additional degree of interest.—*T.*]

satisfied us, and put an end to these troubles, I mean father Persons. The matter passed thus. Father Persons, at his first coming to Rome, lay at the Casa Professa, where many of the scholars visited him; and myself among the rest did the like. You must think that the most of our discourse was, how to end these stirs, and to put an end to that, which was an occasion of so great scandal. He offered us conference to hear our griefs, to give us remedy where we had reason, and desired of us likewise to hear reason, not to be carried away with passion, because it was God's cause; promising us that we should find all charity and indifferency in him, that we could piously desire or expect. This passed on for a sevennight. In the mean time, he visited our protector and the pope's holiness; with whom after a long discourse, the pope did ask him where he lay. He answered him, at the Casa. Then the pope asked him whether he had been at the college:—but, to be brief, the pope desired him to come and lie in the college, to see whether he might do any good. So he came to the college, the next day, and lieth there still: so that then we had better opportunity, with less trouble, to go forward with that whereof we had had some speech. He called us all together, told us we had God's cause in hand, laid before us the detriments that our countrymen suffered abroad because of our troubles, the inconveniences within the college that we found, and, in fine, the harm that the cause of England was like to suffer, if that these factions and dissentions did continue. Such and the like discourses being had, we all agreed to deal with father Persons, and see whether he was able to give that satisfaction, which as yet we had not found. Whereupon we had certain conferences with him, debated and disputed all our whole matter from the beginning, proposed our difficulties and our reasons, which he heard with patience,—he, of the other side, the occasions which he thought to have been always the hinderance of peace, the mediums to get peace again, and gotten to conserve it: for you must understand that our intention was, to make a solid peace, and to find out the occasions of perturbing thereof, and, being found, to root them out. Much ado there was, you must think, in ripping up so many old festered sores; and you must think that he, that with reason should think to please a multitude, must have a good cause, [and] a great deal of patience: but truly, it pleased God so to help them all, in this good purpose of theirs, that, in all the time of their conferences, there fell out nothing, of any part, that might give disgust. Father Persons, for his part, yielded to the scholars, to all things that they themselves had reason for, with such satisfaction of them, that surely I, which have known the very marrow of this action, would never have believed it, if I had not been an agent in it: and he, of the other side, I dare say,

stood much comforted; so that we made a most sweet, loving, and friendly peace, not only within the college, but also without: and I do hope it will continue, for the scholars be very quiet in mind. And, to tell you, as my old friend, I did never think that father Persons could ever have gotten that love of the scholars, as he hath gotten: so that, now we have ended all our troubles, the scholars confidently go to confession to the fathers. The pope's holiness is wonderfully pleased with it, as much as he was displeased with our troubles. Cardinal Borghesius, of Ascension day, was with us in the college, and did congratulate with us, and exhorted us to go on, in that we had begun; so that hereafter *væ illi* that gives occasion of dissention. Cardinal Cajetan is expected. Father General is in Naples, but wonderfully satisfied with this good composition: so that I would wish you, with your vantage, to make your peace; for the jesuits have carried it away; for the pope hath determined to give all unto their hands, and hath already given it. Here hereafter there is no place left for the complaints of the Low-Countries, especially seeing we have here united ourselves, whose disagreements before were the occasion that many men were heard, which now shall not. You know what you have best to do: but if you mean to do any good for our country, you must unite with the jesuits; for the common cause hereafter is like to lie altogether upon them. I have been much exhorted by the protector to join with father Persons, which I have done: and if you do the like, truly I think you shall be able to do more good in the common cause. *Necessitas non habet legem.* All the scholars have them commended unto you, especially Mr. Markham, who is in Rome. My brother also saluteth you. I hope we shall see you as we go for England. News here be none, but such as I am sure you shall hear by other letters. I pray you have me commended to Mr. Dr. Gifford, and all our friends.

So God keep you. This 16th of May, 1597.

Yours always most assuredly to command,

Ed. Bennett.

*** *Six of the Scholars to Aquaviva, the General of the Society.*
May 17, 1597.

[Original in my possession.] MM. Val. x. 842

Reverendissime Pater,—

Ex eo quòd vestra paternitas, non cuivis homini, sed conterraneo nostro, nostri amantissimo, rerumque nostrarum peritissimo, et in rebus gerendis prudentissimo, reverendo patri Personio, totum negotium collegii nostri commiserit, satis compertum habemus pacem et utilitatem nostram vestræ paternitati longè charissimam semper extitisse: si verò

quispiam superiorum nostrorum iis paulò minùs consuluisse videbatur, id non ex vestro imperio, sed ex proprio suo dictamine, vel indiscretione aliquâ, factum fuisse arbitramur. Quapropter, licèt reverendus pater Personius, pro suâ prudentiâ, charitate, mansuetudine, atque dexteritate, omnia æquâ lance trutinando, optatissimum finem dissidiis nostris jam tandem imposuit, pacemque dulcissimam conciliavit, illud tamen vestræ paternitati optimo jure, tanquam authori, tribuendum esse censemus; quatenùs eum ad hoc munus sponte suâ designare dignata est, qui solus illud posse præstare videatur. Probè intelleximus quàm jucunda paternitati vestræ nova ista pacis nostræ extiterit reconciliatio; animorumque in nobis, post diutinas discordiarum moras, consensus quàm vobis cordi fuerit non siluistis. Paterni sanè necessum est agnoscamus animi esse, adeo filiorum, tanquam unius moris in domo, concordiæ congaudere. Felices nos fore judicamus, si in vobis amantissimi patris solicitudinem conservare, in nobis verò quæ filios morigeros deceant officia tueri, satagerimus; quod imposterùm adimplere semper cordi nobis erit. Interim pro tanto beneficio gratias, ut par est, immortales omnes uno ore paternitati vestræ læti refundimus; easque non ore tantùm tenus, sed cordibus sinceris, quod rerum exitus comprobabit. Unum restat animadvertendum (si tamen vestra paternitas pro suâ prudentiâ id non animadvertat), quòd eò meliùs ista nostra reconciliatio jam fæliciter inchoata perficietur, quò diutiùs pater Personius apud nos moretur, et quò ampliorem de rebus nostris, pro suâ prudentiâ, disponendi authoritatem obtineat. Deus Opt. Max. vestram paternitatem incolumem conservet. Romæ, 17 Maii, 1597.

Vestræ reverendissimæ paternitatis humillimi filii,

Tho. Hillus.
Cuthbertus Trolloppus.
Georgius Wolleus.
Antonius Champneus.
Edwardus Tempestius.
Edwardus Bennettus.[1]

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[1] [Two things are remarkable in this document: first, that, in two places, it is corrected and interlined by Persons himself; secondly, that, of the six subscribing parties, two, namely Trollope and Wolley, were among those whom Persons had destined to be removed to Douay. Their removal, however, did not take place until the following October: and it is not improbable that Persons, at this period, had not announced his determination in their regard. The delay arose from a laudable desire of avoiding whatever might give to their removal the appearance of expulsion (Story of Domest. Difficulties, 177): if the design was concealed, it might also originate in a wish to establish his influence firmly in the house, before he adopted any measures of severity.—*T.*]

No. XVII.—(*Referred to at page* 40.)

*** *Persons to Father Oliver Manareus. Jan.* 10, 1597.

[MS. Copy in my possession, endorsed by Persons himself.]

Admodum reverende in Christo Pater,

Breves a vestrâ reverentiâ literas, Bruxellis datas 3° Octobris, accepi: longiores vidi ad patrem Creswellum; ambas de eodem argumento, de dissidio nimirùm nostratium qui istic vivunt, cui nonnullum fore remedium reverentiæ vestræ videtur, si pater Holtus inde ad tempus amoveretur, ut tempori hominumque importunitati cedamus. Ego verò tantum reverentiæ vestræ judicio notissimoque in nos affectui tribuo, ut, si aliud nihil ad ipsum me induceret, hoc solum satis esset ad propensionem meam eliciendam, quòd reverentia vestra ita judicat: sed sunt prætereà alia quæ à biennio jam et ampliùs hoc idem mihi suaserunt, et ut rem seriò cum reverendo nostro patre per literas pertractarem impulerunt:—1°. ut ipsius patris Holti paci et quieti hac ratione consulatur, desiderio etiam satisfiat, qui jam sæpe, idque vehementer, petiit istinc educi:—2°. deindè, quia verè ejus operâ valdè egemus hìc in Hispaniâ, et utriusque seminarii rectorumque votis plurimùm expetitur:—3°. quoque, quia, cum pater Creswellus rerum Hispanicarum non exiguum jam usum comparaverit, linguamque calleat, neque desit illi suavitas illa agendi quam V.R requirit in patre Holto, forsitàn, ut V.R. dicit, ad tempus aliquod gratior atque acceptior quibusdam videretur;—quamvis nullo modo sperem illum pacis fructum secuturum, apud eos qui patrem Holtum amovendum curant, quem V.R. sibi proponit; cum multorum annorum experientiâ, certissimâque ratione mihi constet, istos non hunc vel illum patrem, sed societatem impetere; de quo postea.

Romæ inquieti patrem Edmundum Herodum (Harewood), Anglum, collegii confessorem, amoveri postulabant, eâque re omnia fore pacata: sed, eo amoto, turbulentiora fuere omnia, quia inquieti palàm in totam societatem insurrexerunt.[1] Nunc tantùm aio me, his causis motum, de mutatione patris Holti cum nostro patre et cum ipso patre Holto diù tractasse, atque statim iterum me tractaturum cum Romam venero: jam enim in itinere hoc scribo, causamque itineris prioribus literis vestræ reverentiæ me significasse memini,—voluntatem nimirùm reverendi nostri patris Generalis, horumque seminariorum Hispanicorum negotia quædam necessaria, quæ, nisi cum suâ sanctitate ac nostro patre ritè transigantur, damnum patientur seminaria. Spero me, Domino benè

1 [This, it will be remembered, was written before his arrival in Rome, and, of course, only on the authority of hearsay. To ascertain whether it was correct, let the reader turn to his letter of May 5, page lxxix. ante.—*T.*]

adjuvante, brevi omnia confecturum, ac in Hispanias rediturum; eâ enim conditione hinc discedo, nisi obedientia superiorum aliud statuerit. Atque hæc de his.

Et quanquàm hæc ita se habeant, propositumque sit mihi seriò rem, ut dixi, cum reverendo patre nostro tractandi, negare tamen non possum magnas se mihi difficultates in re exequendâ offerre, hoc maximè tempore, quas reverentiæ etiam vestræ proponam.

Prima est quòd dux Feriensis ac Stephanus de Yuarra, ministri regii qui nuper isthinc è Belgio venerunt, mihi fassi sunt se, in instructionibus vel advertentiis quas, regis mandato, serenissimo archiduci cardinali de statu Belgii reliquerunt, id, primo loco, inter cætera, affirmasse, societatem vehementer rebus regis utilem esse, ideoque expedire ut quâcumque ratione promoveatur; deinde verò in rebus Anglicanis, quæ maximè hoc tempore regis interest ut benè tractentur, patrem Holtum præ cæteris omnibus audiendum esse, ob experientiam fidemque ac prudentiam in agendo, neque æmulos ejus ullâ ratione audiendos esse, ut e Belgio amoveatur: atque id ipsum regi tum literis tum sermone retulerunt; ex quo quid nobis difficultatis ad hanc mutationem accesserit, V.R. facilè videt.

Secunda difficultas etiam recens nata est, quòd, ex sermone summi pontificis cum doctore Barretto, seminarii Daucensis rectore, nupèr intellectum est, istos ipsos, qui amotionem patris Holti apud reverentiam vestram, cæterosque patres nostros pacis specie solicitant, ad sanctitatem suam scripsisse, non tantùm contra patrem Holtum, sed etiam contra omnes societatis patres qui in Angliâ versantur; affirmantes eos clero reliquo dominari, imo omnibus per tyrannidem imperitare (quod etiam de patre Holto nominatim asseruerunt), hacque ipsâ de causâ omnes esse amovendos; quod etiam, istorum exemplo atque suasu, scholares nonnulli Romani, ab istis eorumque complicibus ad rebellionem excitati, per memorialia petierunt, atque affirmarunt maximo iniquissimoque mendacio; cum patres illi non nisi omnium commodis inserviant, et horum etiam ingratissimorum inter cæteros, et præ cæteris, quod de patre Holto verè affirmare possum, qui suis literis sæpè ac vehementer causam eorum egit in curiâ Hispanicâ, qui maximè eum impugnant.

* * * * *

Atque hæc quidem reverentiæ vestræ, occasione hac oblatâ, dicere volui, non quòd omni conatu illud non prosequi velim, quod R.V. proposuit de mutatione patris Holti, cum reverendo patre nostro Generale, sed ut R.V. intelligat quare spem exiguam habeam futuræ pacis ex hac mutatione, nisi Deus rerum et animorum immittat mutationem; quod summis ab eo precibus peto. Nihil omittam, Deo volente, dum Romæ

fuero, quod ad pacem hanc procurandam pertinere posse videatur, neque hactenùs omisi. Et si quid reverentiæ vestræ, vel etiam reverendo patri provinciali (cum quo hanc epistolam eo secreto quo convenit communicari desidero) occurrat, quod a me fieri debere judicant hujus pacis conciliandæ vel firmandæ gratiâ, liberè me admoneant; ero enim obsequentissimus: tantum enim a RR.VV. humiliter peto, ut, pro suâ prudentiâ, videant ne hæ voces hominum inquietorum contra patres societatis apud nostros faciliùs admittantur, quàm ratio et æquitas ferat, inauditâ aliorum causâ; inde enim magnum damnum et scandalum quoque tandem sequeretur.

Quod ad patris verò Holti modum agendi (quousque negotium de mutatione cum reverendo patre nostro transigatur) pertinet, si asperior est quàm reverentiæ vestræ videatur expedire, aut nimiùm invidiæ aut æmulationi pateat, ut R.V. significat, non dubito quin unâ vestrâ admonitione pater Holtus, pro eâ quam erga vestram reverentiam observantiâ habet, in alteram partem facillimè se flectet. Ego etiam eâdem ipsâ de re ad eum scribo, nimirùm, ut quâcumque poterit ratione omnes consoletur, omnes lucretur, invidiam ex modo agendi vitet. A reverentiâ autem vestrâ peto, ut non gravetur iterum judicium suum mihi Romæ significare de universo hoc negotio, ut maturiùs statuatur quod ad majorem Dei gloriam pertineat. Sanctis vestræ reverentiæ sacrificiis humiliter me commendo. Barchenoni, 10 Januarii, 1597.

Servus in Christo
Robertus Personius.

*** *The same to the same, April* 12, 1597.

[Persons's own copy, in my possession.] MSS. Vat. l. x. 822.

Admodum reverende in Christo Pater,

Hoc ipso ferè momento temporis literas reverentiæ vestræ, 22° Martii scriptas, accepi, quo fit per tabellarii festinationem non liceat mihi pluribus ad easdem respondere. Lætor valdè reverentiam vestram viribus adhuc et valitudine frui; et cum minùs hinc quàm ex Hispaniis impedita sit literarum transmissio, facilior fiet et frequentior per eas communicatio. Spero autem reverentiam vestram adhuc victuram, et visuram illud collegium Londinense, quod aliquando isthic una designavimus: reverentia enim vestra semper nobis extitit pater amantissimus, ac causæ nostræ Anglicanæ patronus; ex quâ etiam re magis moveor, ut impensè cupiam ne tandem, post tot annorum tam singularem unionem, judiciorum inducatur arte dæmonis dissidium, ac ex eo etiam affectuum, quod sanctissimus pater noster Ignatius prudentissimè simul ac piissimè præcavendum nobis solicitè admonet. Videò enim reverentiam vestram valdè seriò suscepisse defensionem eorum hominum, qui ex gente nostrâ patrem

Holtum impugnant: quâ in re nonnulla scribit R.V., quibus ego libenter assentior,—scilicet, homines istos nullo modo abalienandos esse, aut injuriis aut opprobriis, aut contemptu, aut partialitate, ut V.R. dicit, exasperandos. Addo etiam, si Hugo Owenus quicquam in eos fecit, justum est, non solùm ut desistat, sed etiam ut satisfaciat. Idem etiam dico de patre Holto, vel de meipso, vel alio quolibet nostrorum, qui contra hanc mansuetudinem aut charitatem religiosam vel minimum offenderit. Ex aliâ tamen parte, æquè justum est, causam Hugonis Oweni, utpote viri sæcularis, si quâ in re illos læsit, à nostrorum causâ separandam, et non omnia imputanda nostris, id est, viris societatis, quæ Hugo gesserit vel dixerit, quanquam nostrorum amicus sit, nobisque benè cupiat: neque æquum est postulare ut pater Holtus ab ejus amicitiâ discedat, ob aliorum in eum iracundiam, quæ multis ab annis manifestâ æmulatione duravit; cum nihil societati nostræ fecerit mali, sed potiùs è contrario, et gubernatores omnes Belgii fidentèr eo usi sint, neque ulla res contra ejus fidelitatem hactenùs probari potuerit, quod ego sciam.

Quòd verò R.V. toties et ubique in suis literis illos "nobiles" appellat qui patri Holto infensi sunt, aliam verò partem appellat semper "Owen et ejus sectatores," tanquam si illi solùm nobiles, isti verò ignobiles, essent, valdè invidiosum est, ac malè acceptum à pluribus nostratibus, qui societati nostræ amicissimi hactenùs extiterunt, et idem se istic observasse ex sermone reverentiæ vestræ quotidiano affirmant. Putant enim hinc reverentiam vestram velle eos ignobiles haberi, cum tamen isti, excepto uno comitis Westmorlandiæ nomine (qui tamen contra patrem Holtum nihil se habere querelæ apud amicos multos professus est, sed solùm contra Owen), longè se aliis nobiliores, vel saltem pares, esse contendunt. Cujusmodi sunt D. Gulielmus Stanlæus, cum fratribus, cujus merita in rempublicam aliorum omnium merita, judicio omnium, excedunt; et plusquàm viginti etiam alii qui literis publicis in patris Holti justificationem nuper subscripserunt, cum decem et sex sacerdotibus, quorum multi sunt doctores ac viri ecclesiastici primarii. Sunt deinde in Hispaniis D. Franciscus Englefieldus, nuper mortuus, eques auratus et senator regius antiquissimus, D. Thomas Fitzherbertus, D. Jacobus Hillus, et alii, qui D. Caroli Pagetti factioni, aliorumque paucorum variis modis variisque de causis in hac contentione illi conjunctorum, semper se opposuerunt, [et] numero et dignitate non parùm [se] superiores putant, qui semper se causæ publicæ fideles, et societati nostræ amicissimos, rebus ipsis probaverunt; quod tamen de aliis (quoad societatem saltem nostram) dici non potest. Nam etsi V.R., literis suis ad patrem Alphonsum Agazzarium, affirmet se credere non posse istos nobiles societatem nostram petere (neque ego de omnibus nominatim illud affirmaverim, cum non ignorem diversis de causis diversos D. Pagetto hac in causâ conjunctos esse, alios nimirùm ob inopiam, animique exulcerationem quæ inde sequi solet, alios

ob æmulationem Oweni, alios ob nationum differentiam, aliasque similes ob causas, et non ob odium societatis), præcipuam tamen factionis istius, per Pagettum et Morganum ante quindecim annos cœptæ, intentionem contra societatem fuisse semper ac esse, notissimum est iis, qui toto hoc tempore negotia Anglicana tractarunt; quorum è numero P. Alphonsus est, et Dr. Barrettus, et Dr. Worthingtonus, et alii testes externi: et cardinalis Alanus sæpissimè mihi affirmavit; et ego, et P. Creswellus, P. Holtus, et P. Garnettus clarissimè probavimus. Dux etiam Feriensis eodem sensu quo V.R. per quosdam istius factionis imbutus, ac multo tempore confirmatus, tandem, perspectis rebus omnibus ac penitùs penetratis, sententiam penitùs mutavit, ut nuper Barcanonæ mihi significavit.

Et quanquam R.V. ad hoc argumentum respondeat, de Anglorum è societate conspiratione, his literis suis, quòd multorum conspiratio potest aliquid minùs providè aliquando agere vel sentire, tamen ad reverentiæ vestræ prudentiam et æquitatem appello, si probabiliùs non sit vestram reverentiam hac in re posse falli, quæ solùm quatuor mensium commercium cum illis habuisse fatetur, ac verbis eorum tantùm credidit, quàm nobis omnibus diversarum nationum, statuum, ac locorum hominibus, qui quindecim annorum facta perspeximus ac trutinavimus. Quòd si hæc ratio adhuc vestræ reverentiæ non satisfaciat, me admoneat, et demonstrationes aliquot evidentissimas afferam, quibus constabit eos de societate nostrâ indigna sæpè locutos, viros nonnullos principes à societatis nostræ affectu avertisse, libros curasse in societatem nostram universam scribi, memorialibus contra societatem subscripsisse, et alia istiusmodi. Hæc omnia firmis ac indubitatis testibus [probabo]: quæ omnia Dominus scit non me ideo scribere ad vestram reverentiam, ut eam ab ullo humanitatis aut benignitatis officio erga eos avertam, in quos ego meipsum libenter impenderem ut eis seriò inservirem, si istic essem[1] (eamque ob causam peto ut hæc cautè, ac prudenter, et sine offensione tractentur); sed ideo hæc scribenda duxi, ne V.R., benignitatis hujus affectu rapta ac desiderio pacis, quæ difficilè cum istis sic affectis constituetur, impingat in contrarium incommodum (quod aliquousque jam fecisse video), nimirùm, ut incurrat in offensionem antiquorum amicorum, et istorum novorum amicitiam (societati saltem) non consequatur firmam. Illud etiam erit valdè indignum, ut nostri judiciis et affectibus hac in causâ inter se dimicent, et ut hii alumni rebelles, qui, istinc animati, universam societatem convitiis indies præscindunt, glorientur (quod modò facere cœperunt) non deesse ex nostris præcipuis in Belgio qui eis faveant, et schisma suum schisma etiam jesuitarum commovisse: quo fiet ut difficiliùs hìc remedia tanto morbo adhibeantur; sed mala malis sine fine cumulentur. Atque hæc ex novâ reverentiæ vestræ aliorumque patrum cum antiquis nostris

[1] [Compare this with his advice to Don Juan d'Idiaquez, in the following June, urging the banishment of some of this party, page lxvii. ante.—*T.*]

æmulis factâ amicitiâ spargi cœperunt, quæ licèt longissimè ab intentione vestrâ, quam sanctissimam esse non dubito, remota sint, tamen hæc initio aperienda esse reverentiæ vestræ duxi, ne longiùs serpant, si fieri potest.

De patre Holto statuerat reverendus pater noster Generalis, antequàm ego huc appellerem, multa esse propter quæ in præsentiâ mutandus esse non videatur: postea commodiùs fieri posse judicat. Ego nondum cœpi cum summo agere pontifice de rebus nostris: cum illustrissimi cardinalis nepotibus egi; et crastinâ fortassis die sua sanctitas me audiet. Omnia videntur spem bonam facere, fore res collegii Anglicani pacatiores. Egerunt jam mecum nonnulli ex præcipuis turbatoribus: ego autem sequar eam humanitatis rationem in componendo [negotio], quam V.R. probat, in quantùm virtutis et disciplinæ ratio feret; ac reverentiam vestram frequentiùs faciam certiorem de successu; cujus sanctis precibus ac sacrificiis plurimùm me commendo Romæ, 12 Aprilis, 1597.

*** *Attestation in favour of father Holt and the Society.* *Nov.* 1596.

[Attested copy in my possession.]

Dolenter accepimus nos infrascripti Angli catholici, in Belgio exulantes, querimonias quasdam a quibusdam nostrorum ad aures suæ sanctitatis, adversus reverendos patres societatis Jesu, delatas esse;—esse, videlicet, in illâ societate unum in Belgio qui gentiles suos tyrannizet; esse alios in Angliâ, qui in catholicos illic presbyteros tyrannidem quandam exerceant. Sanè in Belgio neminem hujusmodi nos cognovimus. Unum ex illâ societate R. P. Gulielmum Holtum à multis annis cognovimus, pro gratiâ et authoritate quâ apud hujus Belgii gubernatores unum post alium valuit; idque primum, ex illustrissimi cardinalis Alani defuncti singulari commendatione, plurimos hìc in Belgio nostrates insigniter juvisse; tyrannidem in nullum exercuisse;—nisi fortè quos non juverit pro suo ipsorum voto (quia omnes æquè juvare non potuit), eos tyrannicè depressisse dici debeat. In Angliâ, tametsi, ab aliquot retrò mensibus, aliqua fuerit aliorum sacerdotum inter se, et adversus reverendos patres, æmulatio, tamen et eam sine eorundem patrum culpâ extitisse, et jam sopitam atque extinctam esse, intelleximus: ipsos autem patres erga reliquos sacerdotes, omnesque illic catholicos, omnia pietatis officia, sine cujusquam offensione, cum plurimorum ædificatione, in spiritu lenitatis et humilitatis exercere, multorum illinc ad nos venientium fidâ relatione compertum habemus. Rogamus igitur, et omni quâ decet humilitate obsecramus suam imprimis sanctitatem, tum illustrissimum protectorem nostrum, demùm R. P. Generalem societatis, hujusmodi iniquis delationibus ut aurem non præbeant, quicumque tandem ex nostris delatores fuerint, nisi fortè

certis argumentis crimen probare valeant; quæ ut nos omninò latent, ita nec illis suppetere posse arbitramur. Illud quoque enixiùs supplicamus, ut, si hæc attestatio nostra criminationibus nostrorum repellendis non sufficiat, dignetur sua sanctitas aliquod totius hujus causæ examen mandare atque committere; ut qui verè in culpâ esse deprehendentur, sive delati sive delatores, in illos animadvertatur; ut ita afflictissimæ genti nostræ, ejusque reliquiis catholicis, tam domi quàm foris, pax firma concilietur, honor et æstimatio servetur. Ex Belgio, mense Novembri, 1596.

[The signatures follow. At their head are those of the eighteen clergymen, Thomas Stapleton, Thomas Worthington, William Percy, John Wright, Anthony Clark, Gilbert Burnford, Thomas Freeman, John Fenn, Cæsar Clement, Valentine Tayler, James Standish, Thomas Younger, Edmund Lewknor, Bernard Gardiner, Robert Pilkington, William Storey, Nicholas Lachlen, and Richard Sherwood. These are succeeded by the names of fifty-one officers and members of Sir William Stanley's legion: then come thirty-eight private gentlemen; then four lawyers; and lastly, the six following ladies,—Mary Percy, daughter of the duke of Northumberland, Elizabeth Allen, sister to the cardinal, Dorothy Arundell, Gertrude Arundell, Benedict Guildford, and Mary Green. The parties by whose industry these signatures were collected, were Worthington, Percy, Freeman, Cæsar Clement, Sherwood, Sir William Stanley, Thomas Clement, Gabriel Denis, Robert Tirrel, Tristram Winslade, Ingram Thwing, Hugh Owen, Lawrence Mompeson, and a layman named Thomas Worthington. Their original letter, in my possession.

The attestation from the superiors of Douay was to the same effect as the above. It was signed by the doctors Webbe, Harrison, Weston, James Younger, and Kellison, by the professors Lancaster and Bretton, and afterwards by Dr. Barrett. Original in my possession.—*T.*]

*** *Dr. James Younger to Dr. Gifford. Nov.* 12, 1596.

[Copy endorsed by Persons, in my possession.]

I heartily rejoice at your safe return, good Mr. Doctor, and could have wished your company here, if your business would have permitted you to have come so far about: then haply you would have made known unto us, your friends, such affairs as you had heard were handled amongst our countrymen at Brussels. We hear by Dr. Worthington that certain, who term themselves chief and principal of our nation, have written unto the pope, that they are tyrannized by an English jesuit here in Flanders, with like tyranny they have complained to be used by the jesuits in England against our seminary priests. Mr. Haddoc and Mr. Baynes write from Rome that the pope told Mr. President (Dr. Barrett), and also father Alphonso (Agazzari), that thus much was written unto him from out of Flanders. To give a counterbuff to these men's proceedings, who have thus reported against the jesuits, Dr. Worthington hath taken in hand this worthy journey, as to travel up and down, from place to place, to get every man's hand, who will not

be counted a miso-jesuit, to subscribe to a bill drawn by him and his, therein to clear father Holt from all crime, as likewise the jesuits in England. We all here gladly would have shunned to intermeddle in this matter, wherein we know nothing what just accusation may be laid against father Holt, or others in England, whose dealings are altogether unknown to the most here: yet we are importuned, yea and violently persuaded, by one who will not easily relent from his own preconceived opinion (which hath been of long time his wonted manner, as you yourself can better witness, being of ancient acquaintance with him; which custom I think he will not exchange, because he hath used it these sixty-four years): we must all forsooth needs subscribe to a letter drawn in testimony of the fathers' innocency, against whom, in truth, we know nothing; and thus much we would willingly testify. But this is not reckoned sufficient: we must also say that we disallow, and disprove, and count slanderous all that the other parties object against the jesuits. To this we oppose, that in conscience we cannot, seeing we know not the causes by which the others are moved to write to the pope: we offer to write to the president a blank, wherein he may testify, in all our names, that which in conscience he thinketh may be said. This is not yet enough; but we must write to father Alphonso, in case the president be absent; and father Alphonso must have our names, to use when necessity shall require. If this be refused, then general speeches are used, that we are *Scottilini generis, unde sequitur nos non favere jesuitis; ergo, nec Hispanis; ergo, nec causæ catholicæ: quæ si rectè innectantur invitæ colligationes, dicam ego, ergo Sarmentitii sumus, fidei proditores, digni flammis et æternis ignibus.* I pray you write what you know in this case, so much at least as may direct us, your friends. I fear that the two first authors of the report, Haddoc and Baynes, are over lavish in their writing; especially, because I hear they are partial. You cannot but know something in so important a business. I long to hear from you; much more to speak with you. Read these and burn them, I charge you in all friendship; neither let me hear afterward that this my conference with you is come abroad amongst others; for then *actum est*, &c. Scribbled in great haste, this present morning, after yesternight's altercation. November 12, anº. 1596.

Yours ever most faithful,

Ja. Yo.

If you let your friends know of this, in pain of eternal displeasure open not my name. Farewell most heartily.

Endorsed by Persons—" Dr. Younger's letter to Dr. Gifford," &c.

*** *Dr. Barrett to Agazzari. Jan.* 4, 1597.

[Extract from the original in my possession.]

Admodum Reverende in Christo Pater,—

Cum essem Bruxellis, binas dedi literas ad paternitatem tuam deferendas, multò tardiùs quàm vester erga me amor et desiderium de itinere meo audiendi postulavit: spero tamen jam expectationi vestræ in eâ parte esse satisfactum. Restat jam ut de communibus negotiis pleniùs et apertiùs scribam. Præter alias difficultates, quæ mihi Romæ, in communi causâ et ipsâ veritate defendendâ, occurrerunt; istæ duæ satis molestæ fuerunt:—prima quòd seditiosi illi, qui collegii pacem tantoperè perturbarunt, conati sunt Sanctissimo Domino et illustrissimis cardinalibus persuadere quòd sacerdotes et catholici in Angliâ eodem cum illis essent animo, id est, alienissimo à patribus societatis, cum quibus tamen constat eos esse conjunctissimos, et majores fructus et progressus in fide jam facere quàm unquam fortè antea. Idem constat de reliquis omnibus Anglorum seminariis, in quibus quietissimè et obedientissimè sub patribus vivunt. De nostro quid dicam? Sunt enim tam inter se et cum patribus concordes, ut ad unum omnes maximè detestentur separationem illam, quâ se non solùm à patribus, sed à fratribus suis conantur sejungere. Altera difficultas fuit de statu et animo Anglorum hìc in Belgio: nam hos conati sunt ad suas partes attrahere; atque in eum finem et literas et nuncios miserunt, sicut etiam et in Angliâ obtinuerunt etiam à quibusdam literas in eorum favorem, et contra patres aliquot societatis. Quibus ego, quantum in me fuit, apud Sanctissimum Dominum et illustrissimos cardinales me semper opposui; et putavi necessarium ut Sanctissimus Dominus certior fieret de statu ecclesiæ Anglicanæ per ipsos sacerdotes, qui in messe Anglicanâ laborant; item de animo catholicorum in Belgio per aliquos Anglos alicujus nominis et authoritatis. Sed ecce, mi pater, in causâ tam bonâ tamque justâ tuendâ, quàm multa acciderunt ante meum adventum, quæ mihi certè non probantur, et vereor ne sanctitatem suam et illustrissimum protectorem offendant. Intelligo de subscriptionibus istis, quæ passim à militibus, mulierculis, et vulgaribus hominibus fiunt: habent enim speciem, ut dicitur, mutinantium. Quod à collegio nostro factum est libenter quidem approbavi, quia pauci, et iidem seniores, reliquorum omnium declararunt sententiam;[1] quod commodè fieri potuisset in aliis locis, sine singulorum examinatione. Accedit quòd ille, qui singulorum subscriptiones procuravit, vir sit parum pru-

[1] [He was evidently not aware of the circumstances mentioned in Dr. Younger's letter. Younger, it will be remembered, was one of the persons who signed the Douay attestation.—*T.*]

dens, et quamplurimis nimis ingratus, ut, propter eum, multi negarunt qui alioquin præclarum dedissent de societate testimonium; atque idem ille, meâ sententiâ, plus nocet patri Holto quàm fortè ejus adversarii:[1] nam cum in generali significatum fuisset, sine nomine cujuspiam, venisse literas ex Belgio in gratiam illorum qui collegium perturbant, et in particulari contra aliquem patrem, ecce iste et alii similes, ex fervore quodam benevolentiæ erga suos, et animo nimis perturbato et alieno ab aliis, accusant nominatim multos qui se per suas literas purgarunt apud illustrissimum protectorem nostrum: ex quo tamen malo hoc natum est boni, quòd qui minùs inter omnes Anglos in exilio putantur affecti erga societatem, multa præclarè de societate videntur scripsisse, ut nullo modo liceat in posterùm seditiosis illis ad istorum patrocinium confugere, de quibus inter se et apud alios tantoperè solebant gloriari.

* * * * *

Vale in Christo reverende pater, &c.—Duaci 4° Januarii, 1597,

Vestræ Reverentiæ

filius et servus in Christo

Richardus Barrettus.

*** *Aquaviva to father Oliver Manareus. April* 12, 1597.

[MS. in my possession.]

Argumentum his literis dabit pater Holtus, de quo vidimus quæ reverentia vestra cæterique nostri de toto illius negotio, diversis temporibus, scripserunt; et gavisi valdè sumus re ipsâ tandem compertum fuisse quod et R.V. et alii significabant, et nos ipsi facile æstimabamus, nihil esse in his omnibus querelis et accusationibus adversariorum, quod solicitum habere illum deberet, et in quo innocentiam suam tueri ac liquido probare non posset. Nunc igitur quod unum in eo desiderari videbatur, de hoc ipsum meis literis moneo, ut suum illum, qui nonnullis asperior videtur, agendi modum temperare ac mitigare studeat, et quam in omnes charitatem habet, eam, quod potest, omni exteriùs suavitate patefaciat; ut sic etiam deinceps omnem ejusmodi præcidat occasionem. Quod enim cogitatum fuerat de loci mutatione, id nobis nullo modo visum est hoc tempore aggrediendum, non solùm quòd recenti adhuc memoriâ istius accusationis inuri quædam nota bono patri videretur, sed quòd verendum esset ne, cum vel maximè necessaria nunc isthic ejus opera videatur, ægre id laturus, ac fortasse non permissurus esset serenissimus cardinalis. Accedit, quòd minimè expedire judicamus, ut obsecuti hac in re ipsius adversariis videamur, de quibus

[1] [A note on the back of the letter, in the handwriting of Persons, confirms Dr. Younger's account, and says that the person here described was Dr. Worthington.—*T.*]

video hìc non levem patrum opinionem, nec leves conjecturas, non esse illos adeo societatis amantes ac videri volunt: quin contra, cavendum esse ne, sub unius patris nomine, societatem ipsam petant, animorumque divisiones in eâ quærant: in quo quidem, etsi privatim insimulare quemquam, aut judicare nolumus, neque à patribus his nominatim quisquam perstringitur, durum tamen nobis videatur, cum in hoc capite consentiunt ubique nostri omnes qui ejus nationis sunt, et eos verisimillimum sit hæc certiùs nosse quàm cæteri nosse possint, non verisimillimum etiam esse quod sentiunt. Sed de his, quoniam pluribus ex aliorum literis brevi cognoscet R.V., plura ipse non dicam. Hoc tantum addo circa id, quod à nonnullis in patris Holti causâ proponebatur (expediretne curare ut publicum aliquod scriptum extaret, quod fidem faceret vana fuisse quæ contra ipsum adferebantur), tametsi nobis id rectè factum visum est quod serenissimus, auditis partibus, constituit, ut scripta omnia accusationis concrementur, idque ad patris innocentiam declarandam satis fore videbatur, in omnes tamen eventus, et ad majorem patris Holti consolationem, aptissimum et expeditissimum visum fuisse consilium, ut à serenissimo cardinali binas, si possit, literas procuret; alteras ad sanctissimum, alteras ad me; earumque etiam exempla penès se retineat, quibus doceat serenissimus patrem Holtum, auditis omnibus, repertum fuisse innocentem. Hæ literæ usui nobis in urbe essent, si quid contra jactaretur; earumque pariter exemplis uti posset pater Holtus, ubicumque ferret occasio. Hoc consilium reverentiæ vestræ probatum iri non diffido, ipsamque in eo exequendo suâ authoritate non defuturam. Itaque aliud non superest, nisi ut patrem ipsum reverentiæ vestræ magis ac magis commendem, ut solitâ suâ charitate eum animet et consoletur, nunc quidem eò magis quòd non dubitamus quin eum haud leviter afflixerint hæ simultates. Reverentiæ vestræ precibus et sanctissimis sacrificiis, &c. &c.—Romæ, 12 Aprilis, 1597.

Hoc mihi consilium occurrit sine strepitu et suavius quàm si juridicè peteretur aliqua declaratio, quod pater Holtus videbatur cupere: quod cum patri Personio communicassem, etiam ille præferendum censuit et amplexus est.

*** *Manareus, to father George Duras, assistant of the society of Jesus.* *Sep.* 18, 1597.

[Original in my possession.] Mss. V.a.1. x.907

Admodum Reverende in Christo Pater,

Pax Christi. Eodem temporis momento redditæ sunt quas reverentia vestra ad me dedit, 16°, et 17°, et 23°, Augusti: primæ literæ et postremæ agunt de negotio Anglicano illo molestissimo; et displicuisse

nunciant, cum patri nostro tùm vestræ reverentiæ, articulos quos miseram, qui circumferebantur, et, nisi fallor, circumferuntur à plerisque utriusque partis. Quamvis porrò V.R. videatur sentire hos minus esse culpabiles quòd indigna multa isthic passa sit societas, et pater noster ipse, ob ea quæ contra societatem à nonnullis sparsa fuerunt, et adeo ad suam sanctitatem delata, bonâ tamen pace dictum velim, non ideo nostros debere uti majori licentiâ, sive in scribendo sive in loquendo, contra alteram partem; multò verò minùs re ipsâ facere sicuti fieri cernimus contra utramvis partem dissidentium. Nam si ita pergemus agere, et uti contra alios animositate, licet ii nobis incommodaverint, commovebimus multorum animos contra nos; et cum res adeo tenebrosa sit ut veritas emicare nequeat, non video tutum esse adhærescere (nisi fortassis affectu) magìs uni parti quam alteri. Nam quòd cum pater noster, tùm reverentia vestra aliquoties, tum denique pater Personius scripserit, jam certis documentis constare qui sunt authores factionis, ego tamen tam rudis sum, fateor, ut hucusque nihil omninò perspectum et manifestum viderim: puto tamen me vidisse eadem quæ vos isthic vidistis, saltem præcipua: et licèt viderim, et, dum mihi legerentur, ostenderim me sentire vobiscum, propter debitam reverentiam, quantum veritatis candor passus est, non acquievit tamen intellectus: nam historia illa quæ prætendit declarare originem primam discordiarum relatam ad congressum quendam Parisiis habitum aliquot præstantium virorum cum oratore regis nostri, a quo se exclusum fuisse Pagetus questus sit, et inde moliri cœperit contraria, continenter magis ac magis videtur habere debile fundamentum; et pater Personius, in eâ contexendâ, potuit facilè errare, ex vetusto illo suo præjudicio, in magnâ parte narrationis.[1] Literæ decani Insulensis[2] jamdudum erant nobis perspectæ, ut R.V. probè

[1] [This account is in Persons's letter to Don Juan Idiaquez, page lx. ante.

[2] [Doctor William Gifford. The letter here alluded to was dated August 8, 1596, and is believed to have been addressed to Mr. Robert Markham, amongst whose papers it was afterwards found, but without any superscription. Its object was, to obtain the removal of Holt. It is written with much acrimony, but contains many charges against his opponents, which are fully established by the papers, printed in this Appendix. Amongst other things for which Holt and his party denounce him as "the king's enemy, a favourer of the Scottish faction, and the subducer of the king's subjects," he says,—"They lay to my charge that which I did by authority and commandment of the nuncio, with getting the new book, printed for the king of Spain's title, and reducing it to a compendium, and sending it to cardinal Aldobrandino, which they condemn as high-treason, although, at the same time, they sent it to England printed by two thousand copies, and had dedicated it to the earl of Essex; whereby it is evident that they would have their doings rather known to the heretics and arch-heretics, than to the see apostolic." He tells us, that "they threaten Mr. Paget for his help in getting the book, surnamed 'The Conference about the Title,' &c. for the nuncio, and do labour all they can, to have order from Spain, to put him in prison;" and he concludes this subject by desiring his correspondent to "tell the cardinal plainly, that never any thing was written

novit; nam Bruxellis ipsum autographum unà vidimus, et hominis ingenium et molimina detestati sumus. Sed ille unus est, et unius et paucorum culpa et maleficium non debet officere cæterorum virtuti. Extat præterea epistola quædam ad dominum oratorem quatuor virorum primariorum communis, quæ querebatur sibi injuriam factam fuisse et nobilitati, quòd contra eam ad suam serenitatem scriptum fuisset, non auditâ parte, et quòd inauditi fuissent condemnati apud suam serenitatem. Sed hæc epistola apud æquos judices videtur posse excusari, nisi forte quòd paulò vehementiores literæ extiterint; nam illi icti, et ab alterâ parte turpiter delati ad suam excellentiam, non cohibuerunt fortassis satis animi dolorem: petebant autem sibi dici in quo peccarint particulariter; et hæc epistola sanè non ostendit in nobilitatem posse referri justè originem seditionis.[1] Summa est, quòd discursus quidam longus, quem vidi et legi, non satis probare quod intenditur, literas nobilitatis nihil habere præter indicium sui doloris, ob accusationem sui. Superest ergo ut unius decani, vel fortassis alterius, et eorum duorum seminaristarum,[2] qui, alio anno, in Angliam navigarunt, literæ sunt totum fundamentum judicii facti contra nobiles, et eorum accusationes. Nam de Pageto non est quæstio, cum ille, sive verè, sive non, judicatus, est semper suspectus. Ego de eo sic sentio, quòd ingenio et prudentiâ cæteris præstat, et quòd fortè, tractando ipsum humanitèr, pater Holtus potuisset illum lucrifacere: sed a quindecim circiter annis vidi illum fuisse patri Personio, ac demùm patri Holto, semper suspectum. Fuit ille, sive ab Hugone[3] sive ab altero, delatus ad ducem Parmensem; causa ejus commissa fuit Pamelio præsidi, domino a Broschia, domino Salinas, viris eximiis: ille absolutus est, et honorificè dimissus, honoribusque auctus à duce; neque tamen audivi unquam illum excitasse ob hanc accusationem turbas aut strepitus ullos contra ullum. Hugo fuit delatus secretò, non, sicut ille, publicè et in aperto. Inquisitum de ipso: statim excitatæ sunt implacabiles animorum commotiones; et nobilitatem ac patrem Creitonum continuò authores inquisitionis pub-

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which hath made such a broil, as hath this book; the authors, by the king's ministers, persecuting all that speak or mislike with it;—a thing far unfit to proceed from father Persons, a jesuit, printed by father Holt, a jesuit, who have, in England and every where, professed, that, by order of their society and his holiness, they were commanded not to meddle with any matter of estate: and was not this hundred years a matter of estate of greater importance handled by any man, than is this, the translating of a realm to a new race, and which needs must be begun, maintained, and ended, with infinite blood." Attested copy of the letter, in my possession.—*T.*]

[1] [I have described the letter, here referred to, in a note to the Duke of Feria's memorial, p. liv. ante.—*T.*]

[2] [Norris and Button. Barrett's Letter, in my possession.—*T.*]

[3] Hugh Owen.

licavit et affirmavit, licèt sanctè jurare parati sint se nihil scivisse, et testes assignent ipsosmet commissarios regios, a quibus coacti fuerunt, non sine minis, ut aiunt, coràm se deponere: nihil tamen obtrusisse se, sed tantùm respondisse candidè ad ea de quibus interrogabantur, tacitis multis quæ proponere potuissent.

Quæ affero ut V.R., quæ hæc non ignorat, recogitet non deesse passiones graves in parte Hugonis, et fore multò meliùs ut studeremus animos nobilitatis nobis conciliare, quàm eam magis exasperare: nam reverâ valde exasperati sunt, præsertim post literas purgatorias patris Holti a cardinale obtentas, quòd bonus pater, ut vehemens est, et vehementibus passionibus interdum impellitur, statim velut gloriabundus plerisque dixerit, se nihil ampliùs curare alterius partis studia, qui jam absolutus per sententiam esset à suâ sanctitate, à suâ reverendâ paternitate, ac demùm à suâ serenitate; quod nobiles mihi ascribunt. Sed parvi illud facio; magni autem ut eos lucrifaciamus Domino et societati: alioquin video futurum, ut societas aliquando gravia patiatur, in Angliâ præsertim; nam hæc durare nequeunt, suntque nimis utrimque violenta.

Quod ad remedium attinet, non video aliud, ante oculos Domini positus, quàm ut, primum, pater Holtus hinc revocetur, quia ad pacem fovendam non est aptus, nec sibi potest temperare ubi in minimo læsum se putat, etsi in opinione fallatur: secundum, ut pater Personius magis etiam se accommodet ad horum hominum reconciliationem, quamvis id jam vix posse fieri video, tam sunt animi exulcerati; quòd ipsius moliminibus et studiis tribuant se jam cecedisse de gratiâ regis et serenissimi, ac se in patriâ alienâ perire ejusdem studiis. Utinam esset reliquum remedium ex parte patris Personii, ut veniret ipse in has partes loco patris Gulielmi, audiret quæ hìc geruntur et gesta sunt, ac conaretur ipsos nobiles reconciliare suæ serenitati, reconciliatis ipsis priùs inter se, et positâ omni passione. Nam quod V. R. prudentèr ait, nostros Anglos scire et sentire injurias ac calumnias societati illatas, et convenire ut ea suavibus modis eam ab illis vindicent, hoc ipsi etiam, ni fallor, intelligunt, et sæpe illis inculcavi. Sed maxima pars nobilitatis detestatur eos, qui talibus injuriis societatem affecerunt: licèt, cum ipsi dabant manus, et paratos se exhibebant ad omne bonum officium, novis ipsi vel literis ex urbe, vel sermonibus in gente jactis, magis magisque exasperati, fere desperarunt: et subintelligo etiam in Angliâ graves rumores inter catholicos et sacerdotes excitari, nec minorem fortassis esse seditionem quàm fuerit Romæ. Superest igitur ut pater Personius ipse veniat, et in suo adventu patrem Holtum, cum bonâ gratiâ principis, hinc amoveri studeat; nam, nisi fecerit, non est qui facere queat. Nam cum serenissimo sit persuasum ex iis quæ ex

urbe et Hispaniâ accepit, et quæ hìc audivit et continenter audit, deceptos vel partiales esse qui aliter sentiunt quàm Hugo et pater Holtus, et omnes Anglos nostros conspirare contra nobilitatem, seu partem Hugoni adversantem, non est qui meliùs eximere possit ipsi hanc opinionem, quàm pater Personius, qui, cum Anglus sit, vir prudens, et qui novit res quæ in Hispaniâ et in urbe actæ sunt, reputabitur ab ipso serenissimo cardinale non impelli ullâ passione. Quod ad me attinet, possem equidem agere cum ipso (sed tamen excitarem illi dubium et formidinem de rei statu), nisi vellem aperire quæ hactenùs de Hugone, et de patre Holto, et de aliis, diligenter tacui, ut ipsorum et societatis honori et concordiæ ipsi consulerem. Ut autem hoc faciam minimè etiamnùm expedit.

* * * *

Ecce quàm prolixas dedi ad reverentiam vestram literas, et quàm gravis illi factus sim : condonet mihi. Deus eam nobis conservet quàm diutissimè incolumem, cujus precibus me commendo. Gandavi, 18 Sept. 1597.

Vestræ reverentiæ Servus in Christo Jesu,
Oliverius Manareus.

*** *The same to the same. Octob.* 12, 1597.

[Original in my possession.] *Mss. V.a.L.x.929.*

Admodum Reverende in Christo Pater.

Pax Christi. Pridie quàm discesseramus Bruxellis, redditæ sunt sub noctem quas R.V. dedit 19 Septembris, quibus significabat R.V. Bonognesium nostrum a profectione fuisse revocatum, ob opinionem pestis in Germaniâ et Belgio grassantis. Faxit Deus ut hæc remora sit illi propitia, et interim non incidat in majorem debilitatem.

Quum Cantii venerint, excipiemus et tractabimus quâ potuerimus charitate.

De octo illis alumnis Anglicanis, de quibus R.V., nihil quidquam adhuc inaudivi. Faxit Deus ut seditio, quam isthic V.R. scribit consopitam, sit penitùs extincta. Speret quidem R.V., hìc apud nos idem futurum : ego verò vereor valdè ne pejus multò quàm unquam in Angliâ res turbetur. Atque utinam octo illi ita veniant animis comparati, ut pacem promoveant : de quo dubito, si graviùs fuerint à suâ sanctitate et cardinalibus admoniti. Nam quidquid fuerit asperitatis conferent in nos, ut in authores : sed spero admonitionem fuisse paternam, et suavem, et quæ non exasperaverit.[1] Causa quæ me movet ut tam malè augurer de

[1] [The students, here alluded to, were those who, by Persons's advice, were removed from the Roman college, in October, 1597. Persons's copy of the pontiff's address to them at their departure is now before me. It speaks with

rebus Anglicanis est, quòd jam sunt scissuræ magnæ in clero et populo, occasione eorum qui ex collegio Anglicano eò venerunt, et earum discordiarum quæ hìc sunt et hactenùs extiterunt, cui curandæ non videntur mihi sumpta media congruentia. Nam curare ut nobilitas hinc abire cogatur, quid aliud est quàm concitare eorum propinquos et amicos, qui in Angliâ sunt, contra nos quos authores reputant sui infortunii et acceptæ contumeliæ? Recesserunt etenim aliqui: dominus baro Dacre, vir modestus et pius, recessit, et Morus, vir item nobilis, et qui multa præstitit pro ecclesiâ Dei: recessuri sunt brevi reliqui, valdè exacerbati; neque alteri assignant causam suæ calamitatis quàm patri Holto immediatè et D. Hugoni; mediatè verò patri Personio.[1] Quam habeant hujus rei occasionem Deus novit: non dubito eos habere aliquam.

Dolui his proximis diebus Tressamum mihi legisse literas patris Personii acriores, et quibus indicabat falsas fuisse accusationes ipsius et aliorum contra patrem Holtum, quòd cardinalis ipse suis literis ad pontificem, ad dominum oratorem, ad patrem nostrum Generalem, declarasset eum patrem omninò fuisse innocentem, et non fuisse credendum calumniatoribus, qui illi detraxerant, et infamiæ notam inusserant; se expendisse omnes scripturas ultrò citròque productas, et nihil invenisse contra ipsum patrem, præter mendacia. Hæc erat summa paragraphi epistolæ quam mihi legit. Dolui, inquam, non quòd demus operam purgando ac justificando fratri nostro (quod charitatis est), sed quòd acriùs invehamur in eos, quorum dolorem lenire et amaritudinem mitigare deberemus; nam hæc ratio agendi et scribendi exulcerat magis:—addo quòd fortassis non placebit cardinali, quòd literas, quas non admodum libenter dedit, eas ostentemus cum aliquâ jactantiâ, hìc atque adeo in Angliâ et in urbe asserentes, quòd quasi juridicè expenderit scripturas utrimque productas; quod non fecit, sed tantùm nixus est relatione meâ et domini de Tapis, qui pariter pro bono societatis retulimus, ea, quæ producta fuerant, fuisse partim falsa, partim levia, partim dubia, quæ putabamus patrem Holtum

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pain of the late disturbance in the college, exhorts them to lay aside the spirit of contention, and tells them that, unless they can enter upon their mission in England with humble minds, they will be more likely to fall themselves, than to be the means of saving others (Orig. MS. in my possession). Persons, from the circumstances with which he connects it, gives a turn of asperity to this admonition, which probably did not belong to it. In the same manner, he afterwards published an account of it, in his "Briefe Apologie" (60b), telling us that the pope, having "given them first a *vehement reprehension* for troubles past, exhorted and *commanded* them there, *with like instance*, to be at peace, for the time to come, both among themselves, and, namely, with the fathers of the society."—How different this from the amiable tone of Manareus's letter!—*T.*]

[1] [The reader who will turn to Persons's letter of June 30, 1597, addressed to Don Juan d'Idiaquez (p. lxvii., ante), will see that Persons was, in fact, one of the principal and *immediate* causes of their removal.—*T.*]

facilè solvere ac elucre posse. Credidit cardinalis verbis nostris; et nihilominùs tertiò a me petiit an eas literas dare posset. Ego, ut verum fatear, cum scrupulo respondi quòd sic, quòd res patris Holti ita se haberent sicut ante dixeramus. Ego vero nitebar potiùs societatis innocentiâ, et patris Holti præsumptâ bonitate, quàm ipsius responsis ad articulos, quæ vidi non multa: nam ex paucis illis sic responderi ad reliquos ratus sum; ac denique rem esse tam implexam, ut ostium pateret ad magnam litem et examinationem, et illam periculosam pro honore societatis, si progressa res esset ulteriùs. Quod ergo cardinalis tam ægrè dedit, et adeo, ut ad pontificem noluerit dare literas, scribere modò ad partem contrariam, quæ de hac justificatione unius partis, se non auditis, queritur, et apud cardinalem querelas brevi depositura videtur, poterit certè cardinalem offendere, qui putavit suas literas tantùm ostensas iri vel pontifici, vel cardinalibus protectoribus, vel aliis personis gravibus.

Suspicor modò reverentiam vestram et eundem patrem Personium existimaturos me propendere magis in alteram partem, ob ea quæ jam commemoravi; quoniam scribit patrem Personium ita esse persuasum, et hoc ex ipsius literis alioquin cognovi: scribit enim R.V., ipsum dicere D. Hugonem cum suis sociis asserere, me ipsis adversatum fuisse, et etiamnùm adversari; in quo valdè falluntur cum patre Personio: neque extat ullum fundamentum nisi omninò falsum, quia, viz., non ita adhæserim ipsorum actionibus et judiciis, ut sim persecutus indiscriminatim totam nobilitatem alterius partis, et non egerim cum ipsis ut ipsa ejiceretur ex ditionibus regis; quod postea scivi eos fuisse molitos; nam antea, ejus ipsorum consilii eram planè ignarus; et, si scivissem, certè me opposuissem ipsis, Hugoni dico et aliis (quod nunquam feci, rei ignarus), quia certum est quòd tale consilium sit conjunctum cum magnâ pernicie societatis et catholicorum Angliæ. Quid enim non facient amici et propinqui, ut tueantur honorem suorum propinquorum? Quid non molientur contra societatis homines, authores tanti mali? En jam, perspectâ hac divisione cleri solius, de quatuordecim millia florenorum quos erogabant sacerdotibus in carcere detentis, detraxerunt septem millia pro principio (si vera sunt quæ intelligo); et propinqui jam submittunt pecunias suis propinquis exulibus, quòd non deceat (ut inquiunt), propter unum patrem Holtum deserere suos propinquos à rege ejectos . . . . [*Here a whole line is carefully obliterated*] . . . . . ., concordia non consistet in uno seminario urbis, cujus alumni plerique alta consilia fortè premunt silentio, quæ aliquando erumpent contra nos. Sed negotium est cum Anglis sparsis per Belgium et per alias partes, et in Angliâ degentibus sacerdotibus et laicis omnibus.

Appello Deum judicem in animam meam (quandoquidem ad id

faciendum impellor), me quo potui studio et conatu promovisse existimationem et honorem patris Holti; me ex animo promovisse semper concordiam et pacem inter omnes; nunquam me adversatum fuisse vel Hugoni vel ipsi patri, neque detraxisse ipsorum honori et existimationi, neque me denique quicquam fecisse magni vel parvi momenti, cujus non fecerim reverentiam vestram, vel superiorem domûs consciam, vel ante, vel statim postea. Addo quòd semper invenerim nobiles valdè humanos, etiam quando illos monui vel reprehendi aliquâ de re; contra verò, Hugonem, cum suis, valdè acerbos, animosos, elatos, minaces, et de aliis maledicentes; ut mirer patrem Personium mihi scripsisse, et jam significare per vestram reverentiam, me nimiùm adhærere illis qui societatem contumeliis affecerunt, vel falsis criminationibus violarunt. Si talis est Pagetus nescio: neque vestra reverentia nec alius quisquam aliqua argumenta, quæ id docerent, protulere; et tamen ipse nunquam mihi fuit familiaris:—non rejeci tamen, nec rejicere debui, dum de concordiâ agebatur, ad me interdum venientem, sicut neque unquam rejeci aut subterfugi (Deus mihi testis est) dominum Hugonem, vel alium quemvis, licèt trepidarem, quando cum illis congrediendum mihi erat, ob ipsorum choleram et maledicentiam. Sed et reverentia vestra, amabò, quomodo excepta est aliquando ab ipsis? Nonne aliquoties eâ de re familiariter questa est mecum? Consilium igitur et remedium illud unum succurrit, ut pater Personius, positis suspicionibus veteribus, hùc advolet; et conetur apud cardinalem agere, ut nobilitas revocetur, et bene hìc et honorificè habeatur; et quamprimùm scribat ad me qui sunt illi qui societatem persecuti sunt et persequuntur, ut non ambulemus in tenebris, sicuti facimus: quoniam in re tantâ non sufficit habere suspiciones et conjecturas aliquas, sed lucem die clariorem. Pagetum pater Personius fecit mihi suspectum; et etiamnùm propterea suspectus est mihi: sed nullum indicium ille mihi dedit hujus mali. Tresamum, baronem, comitem, et alios plerosque novi societatis amantissimos: sed occasio datur illis ut inimici fiant, et nos persequantur; quod tribuendum esset illis infirmitati, nobis autem imprudentiæ. Decanum Insulensem scio fuisse contrarium nobis ab eo tempore, quo erat in collegio et cum domino Malvasia, tunc nuncio: cum hoc nunquam negotium habui ullum. Superest ergo ut V.R. et pater Personius sese aperiant, et dicant qui illi sint nominatim a quibus nobis debemus cavere, vestro judicio; vel potiùs, patrum assistentium et meo judicio, eos impensiùs curare, et bonis officiis nobis conciliare et devincire. Si hæc epistola non sufficiat ad efficiendum ut prospiciatis mala impendentia, rogabo Deum ut de hac re non patiatur me ampliùs scribere, quoniam reverà fatigor. Christus Do-

minus reverentiam vestram conservet, cujus sanctis precibus me valde commendo. Cortrac, 1597, 12 Octob.

Vestræ reverentiæ servus in Christo,

Oliverius Manareus.

No. XVIII.—(*Referred to at page* 40.)

A Decree of Pope Clement VIII. restraining Missioners from taking Degrees, before a due Time employed in Studies.

[MS. in my possession.]

Ad perpetuam rei memoriam. Pastoralis officii nobis, divinâ disponente clementiâ, commissi ratio nos admonet, ut eorum honori ac dignitati libenter consulamus, qui non solùm, inter pravos eorum patriæ errores, ab hæresis labe sese immunes conservare student, sed etiam, nullis vitæ periculis deterriti, totis viribus patriam ipsam à pravis hæresum erroribus revocare contendunt. Cùm itaque, sicut accepimus, postquam in Angliæ regno, hæreticis illius tyrannis jubentibus, hæreses impunè grassari, ac fides catholica palam impugnari, et in ejusdem fidei catholicæ cultores immaniter sæviri cœptum est, apud catholicos Anglos, qui, gravibus persecutionum procellis cedentes, ad alia catholicorum regna confugerunt, is irrepserit abusus, quòd nimirum juvenes nonnulli Anglicani, præter leges et consuetudines olim celeberrimarum Angliæ universitatum Oxoniensis et Cantabrigiensis, doctoratûs gradus apud exteras nationes, nullâ ferè ætatis, morum, aut studiorum habitâ ratione, precibus seu precio quodammodo sibi caperent; cùmque, ex hac juvenilis præsumptionis licentiâ et temeritate, non solùm hujusmodi gradus, qui magni olim apud Anglos honoris et præcipuæ dignitatis loco erat, plurimisque privilegiis fulgebat, contemni, et flocci fieri cœperit, sed eo pacto sacerdotibus, etiam antiquioribus, gravioribus, et doctioribus, qui in Anglicanâ vineâ laborant, non in exigua irrogari soleat injuria, dum ætate juniores, omni genere meritorum inferiores, ipsis provectioribus et veteranis quasi militibus, ob hujusmodi doctoratûs gradum, præcedere contendunt. Ad has igitur offensionum et dissensionum occasiones tollendas, Nos, motu proprio, et ex certâ scientiâ, ac merâ deliberatione nostrâ, deque apostolicæ potestatis plenitudine, ut nullus è natione Anglicanâ in posterum, donec apud Anglos hæretici prævaluerint, et quousque regnum illud ad sedis apostolicæ obedientiam ac unionem reductum fuerit, doctoratûs gradum in sacrâ theologiâ, vel altero juris, suscipiat, nisi, post cursum ordinarium quatuor annorum in eâdem scientiâ ac professione absolutum, alios adhuc quatuor annos ad minimum, ad solidanda, persolidanda, ac perficienda hæc eadem studia, et quo maturior, doctior, graviorque quilibet evadat, antequam ad doctoratûs gradum ascendere possit, expectet; neque tunc quoque, nisi cum

approbatione in scriptis superioris collegii seu seminarii in quo quisque studuerit atque educatus fuerit, atque Anglicanæ nationis, apud nos et apostolicam sedem, protectoris, vel personæ quæ illius vices ac facultates ad hoc ipsum habuerit, in partibus ubi quis promoveri voluerit, hujusmodi gradum accipere possit. Si verò contigerit (ut sæpe solet) eum, qui hujusmodi gradum suscipere voluerit, in diversis vixisse seminariis Anglicanæ nationis, approbationem à rectore, seu superiore, illius collegii, in quo ultimò studiorum causâ vixit, habere debeat: qui rector, seu superior, aliorum quoque rectorum, sub quibus antea ipse graduandus vixerit, judicia, tam de moribus, quàm de scientiâ illius, exquirat, atque de omnibus prædictum protectorem, aut eum qui ejus vices habuerit, certiorem faciat, authoritate apostolicâ tenore præsentium, perpetuò statuimus et ordinamus. Verùm cùm casus aliquis extraordinarius intervenerit, vel necessitas, vel personæ dignitas, vel alia justa causa, dictorum superiorum ac protectoris judicio, super his dispensationem mereatur, prædicto protectori nunc, et pro tempore existenti (rarò tamen), super his dispensandi facultatem concedimus et impertimur: Decernentes, si quis deinceps, infra statutum hîc tempus, vel sine superiorum suorum, ac protectoris, aut vicem ejus gerentis facultate, doctoratûs gradum ubicunque locorum et gentium suscipere præsumpserit, hujusmodi gradum nullum esse et fore, neque ipsum doctorem appellari, aut ullâ doctoris dignitate vel privilegio gaudere unquam posse, perinde ac si ad dictum gradum promotus non fuisset; ac præterea excommunicationis pœnam, cujus absolutionem nobis, et sedi apostolicæ specialiter reservamus, incurrere: Sicque per quoscunque judices ordinarios et delegatos, et causarum palatii apostolici auditores, sublatâ eis, et eorum cuilibet, quâvis aliter judicandi et interpretandi facultate et authoritate, judicari et definiri debere; ac irritum et inane, quicquid secùs super his à quoquam quâvis authoritate, scienter vel ignoranter, contigerit attentari: Non obstantibus quibusvis constitutionibus et ordinationibus apostolicis, et cujuscunque universitatis, studii generalis, etiam juramento, confirmatione apostolicâ, vel quâvis firmitate aliâ roboratis, statutis et consuetudinibus, privilegiis quoque, indultis, et literis apostolicis eisdem universitatibus, eorumque rectoribus, et quibusvis personis, in contrarium præmissorum quomodolibet concessis, confirmatis, et approbatis: Quibus omnibus et singulis, eorum tenores præsentibus, pro expressis, et ad verbum insertis habentes, illis aliàs in suo robore permansuris, hac vice duntaxat specialiter et expressè derogamus, cæterisque contrariis quibuscunque. Volumus autem, ut præsentium transumptis, manu alicujus notarii publici subscriptis, et sigillo alicujus personæ in dignitate ecclesiasticâ constitutæ munitis, ubique in judicio, et extra, fides eadem habeatur, quæ ipsis præsentibus haberetur, si

forent exhibitæ, vel ostensæ. Datum Romæ, apud S. Marcum, sub annulo piscatoris, die 19 Septemb. 1597. Pont. nostri anno sexto.

M. Vestrius Barbianus.

No. XIX.—(*Referred to at page* 44.)

*** *Sacerdotum octodecim Wisbicensium Literæ ad P. H. Garnet. Feb.* 7, 1594—5.

[Original, Stonyhurst MSS. Ang. A. ii. 2.]

Contulimus inter nos ab heri et nudiustertius, venerande pater et frater, de meliore disciplinâ, propter ea quæ emerserunt apud nos intra septennium, vel mala, vel species mali, vel aperta scandala, vel obventura pericula scandalorum; et deprehendimus justitiam nostram non esse tam inculpatæ vitæ (utinam fuisset) ut requiescere debeamus ultra in illâ fiduciâ sanctorum,—"Lex non est posita justo:"—quin potiùs experientiâ edocti, et eventu rerum difficillimarum eruditi, emulamur legem, et quidem legis animam ipsam, judicem, vindicem, censorem. Quem tandem inquis?—Edmundum tuum, vel potiùs nostrum, quem adhuc pro instantiâ nostrâ quotidianâ nec votis flectere, nec verbis frangere possumus, ut assumat onus pro levandis cervicibus nostris: imò suffragiis nostris electus, uno ore, pleno consensu, incunctanter electionem hanc nostram quantum potuit impedivit, et tam tristi responso castigatos dimisit nos, dicens,—"Reverà, fratres, tentatis imponere mihi onus impar viribus meis, quod nemo assumit qualis ego sum. Homo sum sub potestate constitutus, qui habeo superiorem, cui servio in auditu auris coram angelis Dei, ut dicat mihi pro arbitrio suo, vade, fili, et vado; veni hùc, et venio; fac hoc, et facio. *Proinde hoc dictamen tanti momenti et ponderis, addo et gravaminis, quo ego magis oneratus quàm honoratus ero, sic mihi assumo, si ita vultis, et ita oportet fieri, ut, annuente patre meo, vobis placeam; renuente verò, mihi ipsi satisfaciam.*" In hac repulsâ quid agere debeamus, venerande pater, certè integrum non habemus, nisi tu, pro tuâ humanitate et prudentiâ, velis hunc filium tuum et patrem nostrum, virum nobis tam multis nominibus necessarium, in re tam gravi, in solicitudine pari, in causâ communi, jacentem excitare tuis commonitionibus, hærentem in argumentis expedire, et defixum in humilitate votorum suorum aut solvere aut rumpere; ut, auctior factus in suo jure, non cunctetur ampliùs, aut agat lentiùs, quasi paralysi correptus mentis suæ, quem nos dimisimus per tegulas; sed tollat grabatum suum in nomine Domini, et ambulet coram nobis fiducialiter in viâ rectâ, id est, in viâ justorum. Res ipsa postulat, flagitatque: idcircò reverentiam tuam hortamur enixè, et obtestamur in visceribus Domini nostri Jesu Christi, ut, lectis articulis nostris hìc inclusis, et nominibus infra subscriptis, opportunè re provisâ,

velis, jubeas Edmundum reddi nobis totum, quem expetivimus solum, et designavimus unicum, præter quem neminem alium eligere, cum quo neminem alium consistere, volumus ; hoc est, sanctè et religiosè nosmet inter nos definivimus. Vale, pater et frater nobis conjunctissime, et noli abesse longiùs in excessu prudentiæ, quin accede propiùs, ut tangamus invicem, maximè verò ut animi nostri contingant in tam bono centro disciplinæ. Atque audis? Quem reddis, redde quamprimùm, ut rei suapte naturâ gratæ, quantum insupèr possis, gratiam adjicias. Dat. 1594, Febru. 7.

Reverentiæ tuæ studiosissimi,

Ludovicus Barlous,	Alexander Gerardus,
Jacobus Powell,	Philippe Strangwaies,
Willelmus Parrie,	Thomas Haburley,
Gulielmus Chadocus,	Christopher Driland,
Robertus Nutterus,	Edmond Bradocke,
Thomas Bramstonus,	Roberte Woodroffe,
Leonardus Hidus,	Rodolphus Bicleus,
Joannes Boltonus,	Ægidius Archerus,
Joannes Greeneus,	Christoferus Sothworthus.

Endorsed by Father Persons, thus:

"Literæ sacerdotum in castro Wisbicensi ad P. Garn. 1595, *pro confirmandâ electione P. Edmundi.* Autographum."[1]

*** *Garnet to Aquaviva, General of the Society of Jesus. July* 12, 1595.

[Original, Stonyhurst MSS. Ang. A. ii. 4.]

Pax Christi.

Multi jam anni elapsi sunt, ex quo à presbyteris optimis Wisbicensibus rogatus sum, ut remedium aliquod nonnullis malis, quæ inter ipsos manabant quotidie latiùs, ab illustrissimo cardinale, aut etiam à quocumque superiore impetrarem. Ego verò respondere solitus sum,

[1] [I am particular in noticing this endorsement, because it clearly admits that the authority of Garnet was invoked, not to enforce the acceptance of an office which was refused, but merely to "*confirm* an election" which was otherwise complete. This was the manner in which Persons himself understood the address: and yet, having printed its introduction in his "Briefe Apologie," he suddenly breaks off, before he comes to the passage which I have marked by italics, and shortly adds that the writers subjoined "much more in their letter, alleging many reasons of their demand, *and how that father Edmund had wholly refused, and could not be persuaded unto it*" (p. 73). Garnet also, as the reader will see in the following paper, asserts the same thing; and almost every writer connected with the society has since repeated it. To prove that it is at variance with the fact, the reader need only turn to the present letter. Weston certainly declined to act, without the consent of his superior: but he distinctly accepted the appointment, provided that superior approved of it.—*T.*]

me nullo modo alienorum defectuum esse velle delatorem ; in illis patefaciendis invidiæ atque indignationis plurimum conciliari posse ; remedium nullum meo judicio repertum iri, nisi Deus Opt. Max. amorem illum, qui omnis pacis ac recti ordinis fons est, ipsorum omnium cordibus imprimeret :—unde ipsi, unanimi consensu, errata corrigere, collapsa restaurare, inordinata in certos limites ac cancellos redigere, suapte sponte statuerunt. Nuper tamen melior illorum pars (quæ sanè omnes complectitur qui eâ gravitate ac pietate præditi sunt, quæ omnium bonorum benevolentiam conciliavit) viam ac rationem excogitarunt, quâ et sibi ipsis consulere videantur ut rectè vivant, et, si quid (quod sanè aliquando eventurum putant) scandalosum, à quibusdam discolis perpetratum, in vulgus emanet, minimè cedat in omnium infamiam, aut in catholicæ religionis aut ordinis sacerdotalis vituperium ; sed omnium judicio culpa in perturbatâ atque inordinatâ paucorum vivendi ratione resideat. Huic quidem eorum proposito quoniam multi calumniam atque odium struunt, et, qui domi cum ratione ac modestiâ parum gerunt, per inquietos ac loquaces præcones replent querimoniis catholicorum aures, ne eò tandem impudentiæ veniatur, ut res ad illam vestram urbem et gravissimum senatum deferatur, necessarium duxi totâ de re vestram paternitatem quàm brevissimè certiorem facere ; ut ipsa, pro suâ charitate ac prudentiâ, silentio omnia contegat, nisi vel mederi his malis se facilè posse videat, aut depromenda contra calumniatorum injustas accusationes necessariò judicet.

Cum P. Gulielmus Westonus (qui jam ferè ab omnibus P. Edmundus vocatur, quòd id sibi nomen, antequam apprehenderetur, assumpsisset) omnia quotidiè in pejus vergere animadverteret, in publicis conventibus omnia esse plena rixis ac tumultibus, in refectorio exiguam modestiam, in publicis litaniarum aut exhortationum exercitiis multorum sive compotationes, sive clamores, in recipiendis aut tradendis pecuniis non optimam fidem, et, quod caput est, suspectas cum fœminis familiaritates, re diù apud se deliberatâ, et cum nonnullis etiam communicatâ, œconomum monet ne sibi victum præparet, habere se negotia quædam, quæ, cum expediri celeritèr oporteret, non patiantur commodè ad mensam communem accedere. Hanc secessionem cum post biduum aut triduum mirari cœpissent alii, accedunt quidam qui dominari solebant in clericis, et, quamvis nescio quam potestatem in alios assumpsissent, nihil tamen pro morum reformatione aut agere voluerunt aut potuerunt, quique potiùs erga alios se molestos exhibuerunt. Scissitantur causam. Narrat simpliciter pater, se nolle planè communem vitam cum illis agere, nisi regulas quasdam communibus votis conscriberent, quas omnes se servaturos pollicerentur ; videre se suam vocationem esse omnium ferè hæreticorum, non in Angliâ solùm sed

urbique terrarum, obloquiis expositam; fieri non posse quin, si scandalosum aliquid ab illo contubernio admitteretur, quod ad hæreticorum aures perveniret, id, ipso quoque aut participante, aut certè connivente, perpetratum censeretur. Illi verò patris consilium probare, æquissimum postulatum collaudare, rem esse dignam communi deliberatione prædicare. Cum verò urgeret pater ut regulas scriberent, animadverteretque eos diem ducere, ac nihil minùs quàm ordinem velle, ab eâ spe planè decidit, donec ad eum accedunt alii multi, doctrinâ, pietate, ac gravitate præstantes, qui omnes consentiunt ut scribantur regulæ, quas quidem ipsi observarent; alii, salvâ charitate, viverent ut vellent: fieri posse, ut suavitate regularum, ac pulchritudine ordinis allicerentur aliquando reliqui omnes. Scribuntur igitur regulæ faciles, suaves, non quæ monachos aut religiosos instituant, sed quæ homines probos ac benè moratos ad christianæ vitæ normam communem informent, quarum aliqua capita hìc perscribam. "Unusquisque ita se comparet ut aliis ædificationi sit:—Proindè si quis aliquid scandalosum committat (quod Deus avertat), vel levem se aut immodestum ostendat, præsertim erga fœminas, judicari se permittat, ac pœnam subeat, quam communitas statuet:—Abstineant à rixis et convitiis:—In mensâ non contendant pro locis:—Intersint omnes precibus publicis atque exhortationibus;"—et alia multa quæ ad quietam atque ordinatam œconomiam spectare videantur.

Subscribunt hisce regulis, præter patrem Gulielmum et fratrem nostrum Thomam Pondum, octodecim alii, cum in universum triginta tres illìc vivant: reliqui tresdecim neque mutuò affecti benè sunt, neque ullâ aliâ in re ferè consentiunt, nisi quòd ordinem nullum volunt. Unum jam deesse videbatur,—ut superior aliquis eligeretur, qui juxta regulas illas reliquos gubernaret. Sine controversiâ ab omnibus eligitur P. Gulielmus. Ille obfirmatissimè renuit.[1] Ad me scribunt omnes (mitto ipsorum autographum): ego, quamvis non sine causâ invidiam pertimescerem, tamen neque reprehendere ausus sum quod viri tam pii ac prudentes, quibus res suæ optimè cognitæ essent, statuissent, neque negare illis rogantibus tam æquum postulatum potui; præsertim cum hunc videam nostræ missionis scopum, non ut laicos solùm, sed etiam presbyteros, omni consilio et auxilio adjuvemus; reperiri in optimè institutis collegiis congregationes peculiares, quæ nullâ ratione censentur esse dedecori iis qui illas non ingrediuntur; quòd si patrem ab illo officio abstraherem, nullum præterea esse cui se regendos committerent. Re igitur cum duobus sociis, qui tum fortè aderant, communicatâ, Roberto nimirùm et Balduino, in hunc sensum rescripsi;—non dubitare

[1] [See the preceding note.—*T.*]

me quìn pater nihil in se susciperet, quod non esset vocationi nostræ consentaneum: proindè hac quidem in re me illorum votis, quantum in me esset, annuere, dummodo tria hæc observent,—primùm, ut minimè superior haberetur, sed tanquam præco potiùs alios convocaret ac moneret, aut tanquam antesignanus, qui aliis, exemplo non imperio, ostenderet quid esset gerendum: Proindè si quid esset aliquando corrigendum, aut si qua pœnitentia injungenda, communibus suffragiis id fieret, in quibus pater nullam vocem habeat: Denique, quoniam hæc sua congregatio aliis fortasse esset odiosa, ita studeant omnibus satisfacere, ut omnes intelligant communibus consiliis omnia gesta fuisse, neque tota invidia in patre resideat. Et hæc quidem omnia, quoad fieri potuit, præstita sunt. Cumque hactenùs in mensâ pater certum locum haberet, nunc promiscuè sedet, ut omnes intelligant se nolle haberi superiorem; neque quicquam gerit auctoritate, sed consilio atque exemplo. Cumque negotium hoc placidè domi fieri potuisset, absque eo quòd externi unquam aliquid de hujusmodi congregatione suspicarentur, divulgare statim cœpit altera pars jesuitas sibi potestatem in illos injustè arrogare (et quidem alienissimo tempore, cum nimirùm ex Galliâ ob similes ambitionis affectus exterminentur); homines esse solos qui discordias inter principes christianos disseminent, quique soli adhæreant Hispanicæ factioni. Res delata est ad duorum sacerdotum externorum judicium. Bini selecti sunt ex utrâque parte, qui pro reliquis responderent. Hi liberam potestatem tribuunt duobus illis presbyteris de re totâ decernendi: sed cum animadverterent inordinati illi horum alterum, virum gravissimum theologiæ doctorem, eò inclinare ut in ordinem quendam redigerentur, accurrunt, exclamant se ratum non habere quod alii pro se sponderant, neque velle horum judicio consentire. Itaque, re infectâ, discessum est; totamque rem doctor ille scriptis mandavit.[1] Invenit ille quæ non expectavit. Cumque crimina nonnulla essent examinanda, quæ patrem et suos ad regulas conscribendas permovissent, illa patefacere partim noluerunt, quia alios accusare pigebat; partim non potuerunt, ob iniquissimas propositas conditiones,—nimirùm ut procederent secundùm ordinem juris canonici; ut qui deficeret in probatione subiret pœnam talionis; ut securi redderentur nunquam eadem crimina ordi-

1 [As this is the account of one side, it is only right to say that a very different version of the affair is given by the other; and that, whilst the relation of Dr. Bavant, the person here alluded to, supplied Garnet with *his* statement, that of Dolman, the other of the two arbitrators, furnished a narrative, to which the opponents of Weston were enabled to appeal with equal confidence (see True Relation, 23—27). As regards the failure of the present attempt to reconcile the two parties, the probability is, that each was entitled to a share of the blame; though, in favour of the dissidents, it must be acknowledged that, both in this and in a subsequent instance, the proposal of the arbitration originated with them. Weston's letter, in Stonyh. MSS. Ang. A. ii. 34.—*T.*]

nario aut episcopo delatum iri.[1] Scripsi ego ad patrem, ut suis significaret quoniam duo essent quæ aliis displicerent;—primum, ordo ipse ac norma certa vivendi; alterum patris illa qualiscumque potestas: facile fore ut omnium ora obstruantur, si alii cura illa ac potestas demandetur; quod quidem omnibus suis meo nomine significaret. Respondent, si pater illam curam deponat, ut omnia corruant necesse esse. Quare cum omnia mendaciis nitantur, ac videam optimis quibusque catholicis hac in re satisfactum esse, et sine patris curâ nullam fore inter eos disciplinam, sustentandam potiùs judicavi hanc invidiam quam dies ac veritas paulatim delebit, quàm negotium tam pium ac necessarium esse dissolvendum. Ante quindecim dies, custos, sive præfectus castri, quem illa altera pars sibi jampridem comessationibus ac compotationibus arctissimè devinxerant, acerbissimis verbis illis ipsis objecit sua crimina atque infirmitates; quìn sibi providerent, et vel aliorum regulis subscriberent, vel rationem reddant cur abnuant, vel aliam disciplinæ rationem ipsi excogitent. Hæc summa est harum turbarum, quas facilè spero apud nos sedatum iri, quando præcones calumniarum clamando ac vociferando defatigati fuerint. Vestram paternitatem volui hujus rei minimè esse ignaram, ut habeat quod aliorum calumniis, si quas moliantur, opponere possit:—quamvis qui inter tredecim illos caput esse vult, olim ab Urbano collegio jure expulsus fuerit. Vestræ paternitatis sanctissimis orationibus ac sacrificiis nos suppliciter commendamus. Londini, 12° Julii, 1595.

*** *Garnet to Dr. Christopher Bagshawe. October* 8, 1595.

[Copy in Garnet's own hand. Stonyhurst MSS. Ang. A. ii. 6.]

Reverende Domine, in Christo mihi semper charissime,

Pax Christi.

Etsi ego separationis istius vestræ auctor fuissem, ut me tua dominatio saltem famâ vulgari prædicari asserit, non video sanè cur me jure pœnitere deberet: neque enim eâ in re, quanquam tu aliter sentis, aliquid instituissem, quod, meo quidem judicio, ab exemplis inter christianos probatissimis abhorreret. Vidi enim ego, et tu ipse, amantissime

[1] [This last condition is not fairly stated. It is true that they required to be secured against future proceedings; but *they also agreed, in the event of criminality being proved against them, to submit to any censures that might now be pronounced by the arbitrators* (True Relation, 26). I may add, with regard to the other conditions, that the parties in question had a right to know the specific nature of the charges against them; that the men, who had attacked them with general accusations, could scarcely be permitted to escape the proof of what they had asserted, by pleading an unwillingness to criminate; and that, in a case of this description, it is difficult to conceive what "injustice" could have been discovered, either in the demand for a canonical investigation, or in the proposal that an unjust accuser should undergo the penalty, to which he would have subjected an innocent opponent.—*T.*]

domine, expertus es, in christianis et catholicis et præstantissimis urbibus, inter laicos confraternitates multas, inter clericos varia contubernia, in iisdem collegiis peculiares congregationes, et, quod maximum judico, in unicâ interdùm religiosorum familiâ, sub eodem capite, sub eâdem regulâ, varias observationes, diversas reformationes.

Quæ quidem omnia cum virtutis studio, ac spiritualis profectûs ac perfectionis desiderio ab aliis suscipiuntur, tantùm abest ut aliis injuriosa videantur, ut ab ipsis summis pontificibus approbentur, et tanquam ecclesiæ Christi maximè salutaria commendentur. Neque ego sanè, eo tempore, in hac vestrâ separatione aliud aut ipse spectavi, aut ab aliis sibi proponi ullo modo judicavi, quàm ut, absque aliorum contemptu, salvâ charitate, illæsâ cujusvis etiam minimi existimatione, alii id aggrederentur quod eos, et in doctrinâ et in pietatis curriculo, cum omnium mortalium ædificatione, promoveret, et (ut est natura nostra ad malum semper proclivis) ab omni perturbatione, confusione, ac ruinæ periculo, regulis quibusdam, quasi fræno, si quando opus esset, cohiberet. Nam quòd separationem illam, illasque regulas ad vestram infamiam comparatas existimatis, ego rem totam semper longè profectò aliter interpretatus sum. In suis enim illis communibus ad me literis, ideo se regulas scripsisse profitentur, quòd in justitiis suis (ut ipsorum verbis utar) eam fiduciam non haberent ut dicere possent, "Justo non esse legem positam": et in primâ regulâ pœnam sibi ipsi constituunt, si quando (quod absit) ab ipsis scandalosum aliquid perpetretur. Qui igitur justitias suas incusant, et fragilitatem suam pœnis et regulis in posterùm constabilire conantur, si ulli, certè sibi ipsis non vobis solis, infamiam conciliant.[1]

Vide, igitur, reverendissime domine, quibus ego me rationibus defenderem, si illis auctor fuissem, non vestræ contumeliæ sed sui profectûs desiderio, novum hunc vitæ cursum inchoandi: nam quod tua dominatio conqueritur rem hanc gestam esse inconsultis et omninò insciis illis, ad quos scivisse spectabat maximè, id illi fortassè pernegabunt. Sed ut ut fuerit, non video cur hominibus liberis, in re sibi salutari, nemini injuriosâ, Deo, ut videbatur, gratissimâ, non licuerit suo jure sine cujus-

[1] [Garnet must have felt that this was an unfair representation of the letter in question. If the writers spoke of mistrusting their own virtue, they were also careful to intimate that their danger originated in the wicked example of the other party. That their accusations were levelled either wholly or in part against themselves, is distinctly contradicted by the letter, which Persons describes, but of which Garnet himself studiously omits all mention. It was written in January, 1595,—a few days or weeks before that to which he here alludes; and, under ten distinct heads, contrived to charge the opponents of Weston with the most disgraceful immoralities. See page 43, ante. Weston also himself says, in a letter to Manareus, that the object of the separation was, *to shame the other party*. Stonyh. MSS. Ang. A. ii. 34.—*T.*]

quam facultate uti; id est, sine vestro permissu, æmulari charismata meliora. Et ego sanè sincerè ac candidè profiteor, dubitare eo tempore non potui, quìn brevì omnes ad tam sanctum atque utile institutum animum ac vires omnes applicarent.

Sed longè se res aliter habet, mi domine, quàm aut fama vulgaris prædicat (parcat Dominus illis qui ejusmodi rumores dissiparunt), aut quàm tu literas illas meas interpretaris. Separationis vestræ auctor non fui, non consultor, non approbator. Literarum mearum exemplar ego quidem nullum habeo: nunquamen imsuspicabar fore ut tot judicum tam rigidam censuram illæ literæ subirent, aut separatio illa, initio haud dubiè nonnullis injucunda futura, tot nihilominùs ac tantis clamoribus ac reprehensionibus exciperetur. Verumtamèn inter vos, fortassè, illæ meæ literæ salvæ permaneant. Illas ego appello: appello etiam eorum literas ad me scriptas: omnes denique appello presbyteros, viros gravissimos, qui causam hanc æquiùs ac diligentiùs ventilarunt. Hos ego testes haud dubiè habebo, nunquàm à me petitum esse eâ de re consilium, nullam neque petitam neque datam separationis istius approbationem. Illi rem totam ante apud se, post maturam deliberationem firmiter statuerant: me obnixè rogabant ut Edmundum meum illis superiorem ac judicem, omnium suffragiis electum, constantissimè tamen renitentem, tribuerem. Dedi illum quidem, verùm non superiorem, non caput, non judicem, non rectorem; sed ut esset inter regulares (ut ita dicam) regulatissimus, inter observantes (quoad fieri posset) observantissimus; primus ad onera, pervigil ad omnium commoda, et, si ita vultis, omnium qui ita cupiebant pater: neque enim fas esse judicavi ut hominem regularem à regularum professione subtraherem, neque à nostro instituto alienum puto, ut qui inter alios necessariò vitam degere cogitur, eosdem, pro virili, omni operâ atque industriâ, in iis præsertim quæ ad suam et aliorum communem pacem atque utilitatem spectant, juvet ac consoletur. Hanc alii prælaturam vocent; nihil moror: veritas ipsa se tandem patefaciet. Sit plena invidiæ: at non invident illi qui sponte suâ elegerunt, qui penè infimis precibus illum mihi extorserunt, qui tanquam divinitùs approbatum hoc suum institutum putant, dum ejus præstantiam ex manifestissimis ac præclarissimis effectibus ac fructibus æstimant, pietatis, doctrinæ, caritatis, ac suavissimæ animorum quam sentiunt teneritudinis. Hoc factum à me libenter profiteor, atque hujus facti mei rationem libentissimè reddam iis ad quos spectat; nec dubito quin apud æquos judices haud magni sceleris propterea condemnabor.

At cur, inquies, separationem hanc non improbasti?—Egone quod tam multi viri, pii, prudentes, docti, religionis catholicæ et sacrorum ordinum susceptione ac professione antiquissimi, *nemine contradicente,*

in re piâ, nulli injuriosâ, in propriâ necessitate, sibi notâ mihi incognitâ, tam seriò statuerant, in quæstionem ac controversiam adducerem? Deum ipsum hic testem invoco, ad cujus ego gloriam literas illas et negotium illud, utpote non levis apud me momenti tunc temporis, referebam, si id fecissem, summæ me arrogantiæ, superbiæ, imò etiam impudentiæ condemnassem, atque adeo jam condemnarem. Et tamen duo, ut opinor, fretus illorum humanitate, illis commendavi, quæ mihi vel corrigenda vel magni facienda videbantur: non quòd mihi approbationis officium assumerem, sed ad quædam declinanda incommoda. Alterum erat (nisi me memoria fallat) ne suffragia ita darentur ut colligenti innotescerent: alterum ut, quoniam hæc separatio communi consilio decreta fuisset, ita ipsi, pro suâ prudentiâ, se gererent in illâ instituendâ atque aggrediendâ, ut tota invidia in uno patre Edmundo non resideret: quâ quidem in re utrùm rectè conjectarim, norunt omnes catholici quotquot separationem hanc, non ad unius Edmundi invidiam, sed ad universæ societatis nostræ infamiam detorqueri contemplantur. Sed nequaquam insolita patimur. Dominus faciat cum hac et aliis tribulationibus illum proventum, non solum ut sustineamus, sed ut abundemus magis in omne opus bonum, ut, Deo adjuvante, omnibus ferè in locis hactenùs experti sumus.

Jam quod ad malorum vestrorum remedium attinet: — equidem omnes vos eâ charitate atque amore complector quâ par est; *te imprimis, cui me semper charum esse summis votis expetivi.* Non sum tamen tanti, ut antæ controversiæ, inter tales viros exortæ, diribitor aut esse possim aut velim.[1] Ut non possim, facit partim imperitia, partim absentia mea; nam regulas aut ordines præscribere, aut proponere, aut etiam approbare, iis quorum ingenia, actiones, singula etiam vitæ momenta ignores, perinde est ac si sutor vestem illi faciat, quem nesciat magnusne an parvus, longæ an brevis naturæ sit; aut tanquam medicus illi pharmaca mittat, cujus neque complexionem, neque morbi symptomata, neque ullam denique affectionem inspexerit. Facit verò ut non velim multorum præstantium virorum in lubrico opere jamdudum frustrata pietas atquendustria. De patre Edmundo curabo ut nihil faciat impunè quod religiosum non deceat: quæ autem ad vestram œconomiam pertinent, nolo ad meum judicium revocare. Adeo illius prudentiæ ac pietati confido, ut verendum non sit ne quicquam faciat se indignum

[1] [Yet, in the preceding letter to the general, he *had* decided the controversy, by attributing the proceedings of Weston's opponents to the worst possible motives. The desire to possess the affection of Bagshawe contrasts strangely with the hint, thrown out at the conclusion of the preceding letter:—"tamen qui inter tredecim illos caput esse vult"—he is speaking of this very Bagshawe—"*olim ab Urbano collegio jure expulsus fuit.*"—*T.*]

ac vocatione suâ. Nolo ita meâ potestate, quantulacumque ea est, abuti, ut, quoniam ille superiorem habet, ii, qui nullis peculiaribus regulis subjici volunt, illum pro regulis ac disciplinâ certantem nimis facilè ad judicium citent, ipsi a nemine judicandi. Sin me audire vultis, per Christi Domini charitatem curate ut omnes catholici intelligant vestros animos, in istâ separatione corporum, esse conjunctissimos. Permittite illis vivere arbitratu suo; neque enim votum ullum aut lex ulla id prohibet. *Vos interim vivite ut vultis; id est, ut presbyteros doctos ac pios decet, quod hactenùs fecistis;* neque enim æquum est ut novis regulis sine liberrimo consensu constringamini. Qui manducat non manducantem non spernat. Divisiones gratiarum sunt, uni sic, alteri autem sic. Nulla sit mentio præteritorum; hæc enim, veluti perniciosa vulnera, nimiâ tractatione semper magis recrudescunt. Facilè sibi omnes catholici persuadebunt omnia bono loco esse, si vos ita divulgetis, quamvis rationes ac circumstantias non norint. Hac ratione scandalum omne et catholicorum et hæreticorum evanescet: neque enim ab initio ulla admiratio, ne dicam scandalum, extitisset, nisi vestri suis literis ac nunciis, antequam de separatione ulla suspicio emanasset, hominum animos permovissent; cujus rei ego ipse oculatus testis sum; cum, è contra, pars altera ne verbum quidem vel ad me unquam scripserat, quo cujusvis fama læderetur.[1] Sin vos ipsi estis quibus scandalum gignitur (quod sanè fieri non potest quin à vobis emanet longiùs), non estis profectò adeo pusilli, ut scandalum hoc infirmorum judicandum sit. Quòd si aliorum spiritualibus commodis vos, homines spirituales, impedimento esse velitis, neque aliâ ratione acquiescere, nisi illi sine ratione desipere velint, norunt illi D. Bernardi in simili causâ saluberrimum consilium,—"Non valdè illorum vobis curandum est scandalum, qui non sanantur nisi vos infirmemini." Audite etiam vos Spiritum Dei præcipientem, "Noli prohibere eum qui potest benefacere; sed, si vales, et ipse benefac." Dominus det vobis omnibus id quod quotidiè postulo, pacem illam sine quâ nemo videbit Deum!

D. Nordonum meo quæso nomine salutet. Ejus literas, unà cum tuis, nudiustertiùs accepi. Miror eum meam de jurepatronatûs sententiam aut non percepisse, aut oblivioni tradidisse. Aio papam non

[1] [If this was true, upon what authority did Garnet advance the serious charges contained in his letter to the General?—The fact, however, is, as the reader already knows, that Weston's friends *had* written the most serious accusations against their opponents: but, because these accusations were general against the whole body, and not directed against any individual *by name* (Brief Apology, 71b), Garnet seems to have considered himself justified in asserting that "no *one's* character" had been impeached.

The charge of having first divulged the disagreement was urged by each party against its opponents.—True Relation, 30, 31.—*T.*]

posse dispensare ut juspatronatus vendatur: aio hoc esse contra jus divinum: aio etiam facultatem illam, quicquid ipse sentiat, adhuc incolumem permanere, quâ materialiter tantùm juspatronus venditur. Plura scripsi in aliis literis, quas alienâ manu descriptas ad eum misi (ut et has modò ad tuam dominationem mitto), justissimas ob causas, non contemptûs gratiâ, ut ille sine causâ interpretatur. De aliis ejus querimoniis nihil habeo quod scribam. Nolo ego me in tantas salebras conjicere, ut illi de rebus infinitis respondeam. Habebit ille, si velit, qui ipsi gratificari, quovis in negotio, cupiat maximè. Qui in harum controversiarum labyrinthum se libens præcipitet, alium, si velit, quærat: mea plurimùm abhorret ab hisce molestiis et conditio et natura. Dominum obnixè precor ut vos omnes faciat in domo Dei ambulare cum consensu; quâ in re, domine amantissime, tuam operam, et pro me ipso piam deprecationem, suppliciter imploro. 8 Octob. 1595.

Has literas, si placet, alteri parti ostendere dignetur; ita enim illis significavi fore, ut videant quæ sit mea de reconciliandâ amicitiâ, ac controversiis sopiendis sententia.

Reverendæ dominationis tuæ

Servus in Christo,

Henricus.

No. XX.—(*Referred to at page* 44.)

*** *Dudley and Mush to Garnet. November* 8, 1595.

[Original, Stonyhurst MSS. Ang. A. ii. 7.]

R. P.,—

We having now ended all these contentions, and united all the company again, it resteth that we all be thankful to our common Lord, by whose mercy and grace, by the intercession of his saints poured abundantly on this blessed company, the mortal enemy is overcome and driven away, and a perfect reconciliation of hearts is made. And we too, your own children and servants, greatly rejoice, and think ourselves exceedingly bound to you, in that you so willingly employed us again in this affair, and concurred and assisted us so sincerely by your sweet letters, whereby, we assure you, the most of our difficulties were removed. We have fought and striven indifferently, we hope, between them: but we assure ourselves we were unworthyest and unfittest of many, to deal or compass so great a matter. And no doubt the victory had not been gotten, unless you on the mountain had fervently lifted up your hands to heaven, and assisted (with the charitable fellowship of devout brethren and friends) your own good desires and our endeavours, with most zealous prayer and clamours to God and his triumphant saints, in the celebration of their common feast. Good news, therefore, you receive; the blessed fruit of your blessed desires

and pains. You would have wondered to have seen the vehemency of God's spirit, in one moment to make all hard hearts to relent; and where there was most froward aversions immediately before, there was suddenly seen to be most intense affections and tenderness. Such humiliation one at another's feet; such wringing, clipping, and embracing; such sobs, tears, and joyful mourning,—that for joy also our hearts were like to burst among them. And verily, father, neither among themselves, nor to our sight, they appeared, after, the same men they were before. We thought it one of the joyfullest days that ever we had seen. *Hæc mutatio dextræ Excelsi.* Now, good father, as this most comfortable and happy effect hath followed of your sincere endeavours in this cause, so, by all means, confirm the same, and, by all means your wisdom can devise, prevent and hinder the devil's malice, that no such contentions and debates may hereafter arise. You live nearer them than we, and worthily you are respected of all, and may do more than a great many of us. It will be both your greatest credit and ours, and most to God's honour, the good of the common cause, the comfort of all our friends, and discomfort and ruin of our enemies, that we love, honour, credit, cherish, embrace in all friendliness, and help and defend one another; bearing, in the inviolable purity and infringible bonds of christian or brotherly charity, the weakness, infirmities, imperfections, and frowardnesses of our fellow-members and brethren, whom our Saviour hath bought so dearly with his precious blood, and called so mercifully to be of the number of his saints, beautified now on earth with the gift of their holy confession and other worthy graces, and in heaven to be exalted to the high rooms of dignity prepared for God's children,—not, perhaps, as appeareth likely to us here, but as best pleaseth our heavenly Father:—for, if we honour, love, and defend one another, the enemies are too weak for us; but if difference, contempt, and emulation be amongst us, we thereby enfeeble ourselves, and strengthen the adversary's force. We are yours, good sir, from our hearts; and we beseech you to write to the whole company some sweet and comfortable letter, at your best leisure, of the joy you have of their union; and that you would in particular write friendly to Mr. D. Norden, that, from hence, you and all yours do forgive and forget all matters past of discontentments among you; and that you request him so to do also:—for, with a little friendly usage now and then, the good man may easily be won, and kept a friend. He is sharp, you see, and bitter, when he imagineth to have an adversary; but yet kind enough again, when he findeth courtesies, and thinketh he is beloved. We have dealt with him to surcease, and let all things pass, in matters between yours and him heretofore; and (God, of his mercy, hold it!) we find him most

tractable, and no man of that side yielding more frankly to concord and pacification than him. Remember us, we pray you, to our dear friend father Thomas Lis[ter], to the *good afflicted lady*, to Mrs. ,[1] with whom we, but specially I [*the letter is in the handwriting of Mush*], have a quarrel of unkindness, that we might not see them. Forget us not in all your devotions. Our Lord preserve you. In haste, this 8th of November, 1595. Yours assuredly

R. D. M. J.

Endorsed by Garnet,—

" Mr. Mush and Mr. Dudley to me,
after the pacification of Wisbeach."

*** *D. Bagshawe ad P. Henricum Garnet. Nov.* 8, 1595.

[Original, Stonyhurst MSS. Ang. A. ii. 9.]

Vidi fratrum meorum ad te, reverende pater, scriptas literas, plenas gratiis, gratulationibus, gaudiis: nec ideo minùs meas, sed vel multò magis, duxi necessarias. Victoriæ siquidem temporalis nuncius ominanti Davidi bonus erat, quia solus, in quâ unus vincit, sed alius vincitur: victoriæ verò spiritualis nuncius, si solus, nunquam bonus, quia quisque propterea vincit quia etiam vincitur. Bellum apud nos finitum est, pax stabilita. Iis, qui, statum nostrum intellecturi, ad nos mittuntur, jam pridem respondimus,—" Ite et renunciate quæ audistis et vidistis." Gratulor tibi preces pro nobis effusas, literas solicitudinis, sinceritatis, charitatis plenas, nuncios fideles, longèque (non dubito) nobis, et vel eo nomine paternitati tuæ, futuros charissimos. Gratulor tibi Edmundum nostrum, qui, in hoc negotio componendo, et obedienter erga te, et amanter erga fratres, et propter eos qui foris sunt prudenter, se gessit.[2] Confirma hoc Deus, quod operatus es in nobis. Tuæ partes primæ fuerunt: sint secundæ, sint tertiæ, sint omnes. Charitatem inchoatam quam læti excipimus, charitatem indiès magis magisque augescentem postulabimus enixè, præstabimus, spero, ingenuè. Me in hanc spem inducit sanctorum omnium festivitas, quibus vel ideo res nostras curæ et cordi esse magis persuasum habeo, quòd in illorum celebritatem adventus ad nos tuus multò charissimus, et post biennium decursum litterarum tuarum

[1] [The names here omitted, as well as the words which I have distinguished by italics, but which are still legible, appear to have been obliterated by Garnet.—*T.*]

[2] [Such was the testimony which Bagshawe could bear to the conduct of Weston, at a moment when his better feelings were alive, and truth was most likely to be uppermost in his thoughts. It was only at a later period, and when his temper was soured, and his mind distorted by passion, that he could describe the same person as "exceeding loath to lay down the sceptre of his agency," as hinting that he was "not bound in that case to the obedience of his provincial," and as finally sinking "as if he had been in a swoon," when the defection of his adherents convinced him that his power was at an end (True Relation, 41). It is melancholy to contemplate these strange contradictions.—*T.*]

effectus suprà quàm dici potest optatissimus, inciderit. Illorum meritis demississimè peto, per mutuas nostras preces, nostræ commendentur. Vale desideratissime frater, et me in eorum numero pone, qui tecum conjunctissimè Dei (si is dederit) gloriam promovebunt. Salutant te omnes fratres nostri. In octavâ omnium sanctorum, 1595. Tuus in veritate, Cr.

Endorsed by Garnet,—

"Dr. Bagshawe's letter to me after the union at Wisbeach."[1]

No. XXI.—(*Referred to at page* 47.)

*** *Rationes pro Episcopis duobus Anglicanis*, 1597.

[MS. in my possession, endorsed by Persons.]

Cum ecclesia catholica Anglicana in corpus magnum excreverit, atque indies excrescat magis, numerus etiam sacerdotum ex seminariorum multiplicatione factus sit auctior, humiliter petitur à vestrâ sanctitate, ut, ad incommoda vitanda, quæ ex corporis regimine, quod nullam membrorum subordinationem hactenùs agnovit, oriri necesse est, et præcipuè ad schismatum ac divisionum occasiones tollendas, quæ jam alicubi pullulare cœperunt, duo saltem episcopi Anglicanæ nationis constituantur, qui reliquos moderentur ac gubernent; alter in Angliâ, alter verò in Belgio qui in Angliâ moranti correspondeat ac cooperetur; —idque ob rationes sequentes.

De Episcopo in Anglia.

Necessitas unius episcopi in Angliâ pro præsenti rerum catholicarum statu magna et multiplex esse videtur:—1°. Ad roborandum catholicorum animos, &c.—2°. Ad sacramentum confirmationis conferendum, &c.—3°. Ad chrisma oleumque sacrum conficiendum, &c.—4°. Ad sacros ordines quibusdam conferendos, qui, cum alioquin digni sint, exire tamen regno ad eos suscipiendos non possunt; vel quòd carceri-

[1] [It is a common remark, that the most trifling incidents often furnish the best index to a man's character and feelings. On the very day on which Garnet received this and the preceding letter, he was also addressed in another, signed by the eighteen priests who had formed the party of Weston (Stonyhurst MSS. Ang. A. ii. 8). All three are endorsed by himself; the first two, in the manner which the reader has seen above; the third with these significant words,—"A generall letter *of the good* at Wisbeach, of their union."—How strangely do these few simple words contradict the whole of the studied assurances in the letter to Bagshawe (p. cix. ante); and how painfully do they reveal the fact, that, whilst those, who were supposed to have been his enemies, had thrown aside every embittering recollection, and were pouring out their hearts in thankfulness to him, Garnet himself was in private recurring to the memory of the past, for the very purpose of pronouncing an implied censure upon their conduct! Yet addressing Bagshawe in another letter, only nine days later, he says,—"When the blessed souls in heaven did sing with one consent 'Glory be to God on high,' you at Wisbeach preached and restored comfort, 'and in earth peace to men of goodwill'."—True Relation, 43.—*T.*]

bus teneantur, vel justâ aliâ aliquâ causâ impediti. Aliquando etiam è seminariis remittuntur scholares aliquot, sanitatis recuperandæ causâ, in Angliam, qui sacerdotio digni sunt, nec tamen, ob ætatis defectum, ordinari possunt ante missionem.

5°. Ad consilium dandum in rebus dubiis, arduis, ac gravioribus, quæ cum sæpè incidant his difficillimis Angliæ temporibus, neque aliquis modo sit in universo clero, qui aliis authoritate præeat, non leve inde damnum rebus communibus accedit.

6°. *Ad informationes veras et cum authoritate, tum ad vestram sanctitatem ac cardinalem protectorem, tum ad reliquos principes, de rebus Anglicis mittendas;* cujus rei defectu unusquisque modò scribit quæ affectus vel error suggerit.

7°. Ad tollendas sacerdotum inter se æmulationes, et terminandas lites, quâ unâ re plurimùm paci ac concordiæ omnium consuletur.

8°. Ad disponendos ac collocandos sacerdotes locis idoneis, iisque movendos cum erit necesse, aut majoris Dei gloriæ ratio postulabit; quâ etiam unâ re multùm alleviabuntur patres societatis tum oneri tum invidiæ aliquorum; cum ipsi hactenùs sacerdotibus omnibus, quantum potuerint, hac in re prospexerint, non ex officio, sed tantùm ex charitate.

Ad juvandum hunc episcopum petunt catholici adjungi numerum aliquem præcipuorum sacerdotum, qui per Angliæ provincias degunt, hoc est, ad septem vel octo, qui, vel archipresbyterorum, vel archidiaconorum nomine, episcopo assistant, et à conciliis sint; ita ut vices suas per provincias eis, tanquam commissariis, delegare possit. Horum quatuor nominari statim a vestrâ sanctitate petunt, reliqui verò ab episcopo ipso jam constituto, cum, pro regionum varietate hominumque notitiâ, *ipse melius intelliget quinam magis idonei ad hoc munus erunt.*[1]

De Episcopo Anglo in Belgio.

Hujus etiam episcopi constituendi par necessitas ac utilitas se offerre videntur: 1°. Quia cum episcopus in Angliâ jurisdictione episcopali uti non possit in foro exteriori, ob metum persecutorum, hic in Belgio degens illam supplere poterit, evocando ex Angliâ, et puniendo, si opus fuerit, quemcumque ille, qui in Angliâ vivit, castigare non audebit.

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[1] [But why then was the bishop to have the nomination only of four, or it might be of three, of these assistants? And why was Rome, confessedly less qualified for making a proper selection, to nominate one-half, perhaps four-sevenths, of the whole number? The answer is manifest. The appointments at Rome would be made under the influence and advice of Persons himself, who would thus possess the means of securing a majority in the governing body of the clergy, and consequently of engaging them to act in accordance with the views of his party. It is evident, I think, from this and from another passage which I have printed in italics, that the present scheme was originally devised with a view to the very same political object, for the promotion of which the improved idea of an archpriest was afterwards substituted.—*T.*]

2°. Ut informationes ex Angliâ acceptas videat, et, pro diversitate eorum hominum qui ad ipsum scribent, varia conferat, et ea quæ certa sunt, ex assistentium suorum consensu, ad vestram sanctitatem de rebus Anglicis transmittat.

3°. Ut examinet eos sacerdotes vel scholares qui, ex superiorum suorum mandato, Angliam sunt ingressuri, iisque facultates impertiat, vel non impertiat, pro meritis vel demeritis; et judicium suum de ipsis ad episcopum in Angliâ degentem perscribat, ne omnibus liceat pro libitu ingredi, et causæ catholicorum incommodare, quod modò sæpe fit.

4°. Hic episcopus plurimum juvamenti adferet ad causam Anglicanam promovendam, juvabit etiam ad unionem et concordiam catholicorum qui in Belgio vivunt, præsertim si ei sex archipresbyteri adjungantur, ex præcipuis nationis Anglicanæ sacerdotibus, quemadmodum supra de episcopo diximus, qui in Angliâ victurus est.

Si vestræ sanctitati visum fuerit catholicis Anglicanis has gratias concedere, expediet, primò, ut hi duo *Episcopi in partibus* nominentur, et quòd non habeant titulos Anglicanos, tum ob vitandas æmulationes, tum etiam ne persecutores magis indè exasperentur: Secundò, ut uterque habeat jurisdictionem in universam Angliam, et forsan, ut, qui in Belgio victurus est, archiepiscopus sit, ob subordinationem: Tertiò, ut fiant secretò, per brevia apostolica, unius tantùm episcopi ordinatione, ubicumque ille reperiatur, sive in Angliâ, Franciâ, Belgio, Scotiâ, vel Hiberniâ; hoc enim necessarium est ad secretum servandum: Quartò, ut res expediatur, si fieri possit, antequam innotescat, aut hæretici Anglicani aliquid de eâ suspicentur, ne majori diligentiâ observent portus, ad egressum vel ingressum alicujus episcopi.

No. XXII.—(*Referred to at page* 48.)

Literæ Cardinalis Cajetani, quarum Vigore Georgius Blackwellus constituitur Archipresbyter in Angliâ. Martii 7, 1598.

[MS. copy in my possession.]

Henricus tituli sanctæ Potentianæ, cardinalis Cajetanus S. R. E. camerarius, Anglicanæ nationis protector, Georgio Blackwello, sacerdoti Anglo, sacræ theologiæ baccalaureo formato, in vineâ Anglicanâ laboranti, salutem.

Scitum est, atque usu fere quotidiano compertum, divinâ providentiâ

[1] [It must here be remarked, that, although Persons himself, in his Briefe Apologie (f. 101[b], 102[a].), and, after him, Moore (146), Constable (Modest Defence, 68), Hunter (Specimen of Amendm. 100), and others, have constantly proclaimed the existence of this document, they have nowhere hinted that the prelates, whom it proposed to institute, were to be only "bishops *in partibus*." The reader will also observe, that Persons has drawn up the paper as the petition of "the English Catholics" *petunt Catholici*, &c.); yet, in the Brief Apologie, he expressly, and there is no doubt correctly, claims it as *his own*. f. 102[a].—*T.*]

ad bonorum examen atque exercitationem sic disponente, ubi majora eduntur ad Dei gloriam opera, ibi acriores etiam existere, ad hæc psa impugnanda, vel retardanda, satanæ atque communis hostis conatus: neque ullum sanè vidimus his annis illustrius, quàm in causâ Anglicanâ, exemplum; quæ, ut insignem accipit a Domino pietatis, fortitudinis, patientiæ, atque constantiæ gratiam, durissimamque[1] tùm confessorum, tùm etiam martyrum gloriam, sic accerrimam quoque ab hæreticis impugnationem passa esse noscitur; ita ut locum in eâ habeat illud, quod de animâ electâ Spiritus Sanctus pronuntiat, *Certamen forte dedit ei Deus, ut vinceret;* et de vase electionis Christus Dominus, *Ostendam illi, quantum oporteat eum pati pro nomine meo.* Imò catholicos ipsos, et sacerdotes nonnullos seminariorum, qui cæterorum duces atque antesignani ad omnem excelsæ virtutis laudem hactenùs extiterunt, aggredi satanas non dubitavit, ut inter se collideret, et unionis murum, quo omnis nititur Christianæ pietatis spes, dissiparet. Cui hostis conatui, Romæ quoque nuper emergenti, cùm sanctissimi D. N. summa prudentia ac paternus amor remedium salutare, per Dei gratiam, diebus præteritis, adhibuerit, cupiatque, ad hujus collegii Romani exemplum, quod summâ pace et tranquillitate fruitur, reliquis quoque in partibus eandem curari et conservari animorum concordiam, sine quâ nihil boni exitûs sperari potest, speciali mandato nobis injunxit, ut huic rei procurandæ omni nos, quâ possumus, vigilantiâ impendamus; quod perlibentèr quidem facimus, eò quòd hoc cardine potissimùm totius causæ momentum versari non ignoremus.

Cùm igitur non parum interesse, ad hoc ipsum, nonnulli censeant, si subordinatio aliqua inter sacerdotes Anglicanos constituatur, et rationes, ab ipsis sacerdotibus pro eâ re redditæ, à sanctissimo D. N. probatæ fuerint, nos, sanctitatis suæ piissimam providentissimamque voluntatem sequentes, hoc ipsum statuere decrevimus: atque, pro iis quidem sacerdotibus Anglicanæ nationis dirigendis ac gubernandis, qui in Angliæ, Scotiæve regnis in præsentiâ versantur, vel in posterùm eò venturi sunt, dum hæc nostra ordinatio duraverit, te delegimus, cui vices nostras pro tempore delegamus, inducti relatione ac famâ publicâ virtutis, eruditionis, prudentiæ, ac laborum tuorum in istâ vineâ Anglicanâ per multos annos excolendâ.

Facultates autem, quas ad hoc ipsum tibi concedimus, hæ sunt: primùm, ut cæteris omnibus seminariorum secularibus sacerdotibus (ut jam dictum est) authoritate archipresbyteri præsis, quoad sanctissimus, aut nos, ejus mandato, aliud statuerimus:

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[1] [In the former edition, instead of this word, Dodd printed "clarissimamque." It is, however, "durissimamque" both in the MS. which Dodd used, and in another official copy which I possess.—*T.*]

Deinde, ut eosdem sacerdotes dirigere, admonere, reprehendere, vel etiam castigare possis, cùm erit opus; hocque vel facultatum, sibi à quocunque seu quandocunque concessarum, restrictione, aut etiam revocatione, si id necessitas postulaverit:

De iisdem etiam prætereà sacerdotibus disponere, ac de unâ residentiâ in aliam (cùm major Dei gloria, animarumque lucrum illud exigat) movere, ac commutare:

Dubia quoque et controversias exorientes audire, et pro rerum æquitate ex æquo bonoque determinare; schismata, divisiones, ac contentiones amovere vel etiam compescere; earumque rerum causâ quemcunque sacerdotem ad te vocare et convenire; plures etiam unum in locum convocare, cùm necesse fuerit, et cùm sine probabili periculo fieri posse in Domino videbitur; congregatis verò præesse, eisque proponere, vel quæ istis observatu necessaria judicaveris (auditis assistentibus, de quibus mox dicemus), vel quæ huc, aut ad doctorem Barrettum, collegii Duaceni præsidem (cui his etiam in rebus specialis à nobis, sanctissimi jussu, tributa est potestas, ut vobis assistat), scribenda duxeris. Quòd si quis his in rebus (quod futurum sanè, de virtute omnium confisi, non timemus) inobedientem se, aut inquietum, aut contumacem ostenderit, hunc, post debitas admonitiones ac reprehensiones fraternâ charitate præmissas, licet etiam pœnis coërcere ecclesiasticis; ablatione etiam facultatum, vel suspensione, quoad se emendaverit; vel, si hinc etiam emendatio non sequatur, tunc vel ad D. Barrettum, vel ad nos scribatur, ut vel indè evocetur, qui hujusmodi est, vel gravioribus etiam censuris istic humilietur.

Ut verò faciliùs suaviùsque hanc solicitudinis partem tibi commendatam exequi possis, sex quoque consultores, seu coadjutores, assignamus, qui, oneris participatione, nonnihil te labore levare possint; Johannem nimirùm Bavandum, Henricum Henshawum, theologiæ doctores, Nicolaum Tirvettum, Henricum Shawum, Georgium Birkettum, et Jacobum Standishium, qui nuper apud nos Romæ fuit, quos ex antiquioribus esse, optimèque meritis, multorum relatione accepimus. Tibi verò facimus potestatem, alios quoque sex, præter hos, isthic eligendi; iisdem habitis antiquitatis, gravitatis, ac laborum rationibus, præcipuè tamen prudentiæ, moderationis, atque studii unionis atque concordiæ, non parùm etiam authoritatis atque existimationis, quam in provinciis habent, in quibus vices tuas nostrasque gerunt.

Omnes vero duodecim, tam à te, quàm à nobis nominatos, tibi subordinatos esse oportebit, ut meliùs conservetur unionis ratio, ad quam omnia diriguntur tuendam. Cùm verò eos delegeris ad hoc munus, quos maximè idoneos in Domino judicaveris, admonendos nos curabis de eorum nominibus, ac qualitatibus: ipsi etiam, quoad fieri sine periculo possit, suis literis, saltèm hoc initio, significent, quo animo sint ad

hoc præstandum, quod ab iis pro conservandâ unione postulatur. Deinceps verò, tum iis tum tibi injungimus, ut sexto quoque mense, si fieri possit, communibus vel privatis literis ad nos datis, de statu rerum apud vos scribatis; ut ex iis sanctissimo domino nostro referamus, quæ scitu erunt digna, vel quæ causæ vestræ interesse judicabuntur, ut a suâ sanctitate cognoscantur.

Si quis verò ex his duodecim, quos tibi in consilium rei meliùs peragendæ assignavimus, absens fuerit aut captus, carcereque detentus, aut extra Angliam egressus, aut infirmitate, aut morbo, aliove justo impedimento retardatus, quominùs officium suum implere possit, aut rectè in eo non se gesserit, facultatem tibi facimus alium ejus loco substituendi, ita ut nos deinde eâ de re literis tuis admoneas.

Si verò archipresbyter ipse moriatur, vel ex Angliâ egrediatur, vel in hostium manus incidat, sic ut officio suo commodè fungi nequeat, tum antiquissimus ex consultoribus, qui Londini, per id tempus, vel proximè Londino resederit, vices archipresbyteri sustineat, quoad nos admoniti alium assignemus.

Illud denique vel imprimis scire debetis, quod jam supra attigimus, præcipuam sanctissimi D.N. meamque his in rebus intentionem eò ferri, ut disciplina ecclesiastica, quantum pro temporum hominumque ratione isthic fieri possit, conservetur; et præ cæteris, pax, unioque animorum, atque concordia inter fratres ac sacerdotes, nominatim etiam cum patribus societatis Jesu, qui unà vobiscum laborant in eâdem vineâ; quod sua sanctitas dignata est quibusdam sacerdotibus, hinc in Angliam discedentibus, nuper ore proprio, me præsente, seriò ac instanter præcipere. Neque hoc sine justissimâ causâ: nam patres illi non solùm hìc, atque alibi, strenuè impigrèque laborarunt, pro causâ Anglicanâ sustentandâ, fundandis seminariis, juventute instruendâ, egenis fovendis, aliisque mediis plurimis, verùm etiam in Angliâ quoque eadem charitatis opera prosequuntur; hocque usque ad sanguinis effusionem, ut eventis factisque demonstratum est. Cùmque nullam ipsi habeant, nec habere prætendant, in sacerdotes seculares jurisdictionis aut potestatis partem, nec ullam illis molestiam exhibere, manifesta sanè hostis astutia, ac diaboli fraus censenda videtur, ad universum opus Anglicanum evertendum comparata, ut quisquam catholicus æmulationem in eos exerceat, vel excitet; cùm, contrà, potiùs omni amore ac reverentiâ prosequendi sint, quo ipsi majore alacritate sacerdotes ac reliquos (ut hactenùs) officiis, beneficiis, ac paternâ planè charitate complectantur, ut sic, conjunctis animis operisque, opus hoc sanctissimum promoveatur. Unde, si quis fuerit, qui hanc concordiam labefactare studeat, eum, juxta apostoli sententiam, et apostolicæ sedis intentionem, notare debebitis; ut vel admonitione corrigatur, vel pœnâ coerceatur.

Reliqua, si qua erunt, ea vel in instructiones his annexas conjicientur,

vel postea perscribentur, cum ex literis vestris intellexerimus, quibus ampliùs rebus isthic indigeatis.

Ut finem igitur imponam, nescio quibus vos alloquar potiùs verbis, quàm illis, quibus toties apostolus suos alloquebatur simili in causâ, et non dissimili occasione neque tempore. *Idem sapite: pacem habetote.* Et adhuc longè instantiùs: *Si qua consolatio in Christo, si quod solatium charitatis, si qua societas spiritûs, si qua viscera miserationis, implete gaudium meum; idem sapiatis, eandem charitatem habentes, unanimes, idipsum sapientes, nihil per contentionem, nec per inanem gloriam, sed in humilitate superiores sibi invicem arbitrantes, non quæ sua sunt singuli considerantes, sed ea quæ aliorum.* Hanc apostoli regulam atque exhortationem si sequamini, omnia vobis tuta erunt atque gloriosa, sicut hactenùs: si ab hâc unionis constantiâ vos dejici, hostis insidiis, patiamini, magnos scopulos incursura est causa vestra, patriaque vestra; quod Deus avertat; vosque semper tueatur. Vestris orationibus me ex animo commendo, patres, fratresque amantissimi, ac reverendissimi Christi confessores. Romæ Martii 7, 1598.

Reverentiæ Vestræ

uti amantissimus Frater,

Henricus Cardinalis Cajetanus, Protector.

Henry Cardinal Cajetan, to Dr. Richard Barret, President of the English College in Douay.

[Original belonging to the Dean and Chapter.]

Per ea, quæ his adjuncta vobis transmittimus literarum exempla, intelligetis quid reverendissimo domino nuncio apostolico Belgii, quid etiam in Angliam, sanctitatis suæ voluntate ac mandato, scripsimus, pro subordinatione quâdam sacerdotum Anglorum inter se instituendâ, ad divisionum ac schismatum occasiones præscindendas: quæ omnia ad vos quoque pertinere, quoad usus erit, existimabitis. Ea enim est mens sanctissimi D.N., ut D.V., cùm pro loci authoritate quem possidet, tum etiam pro experientiâ, ac notitiâ, quam in rebus Anglicanis adepta est, denique pro eâ opinione, quam de fide, zelo, prudentiâ, aliisque vestris virtutibus sua sanctitas nosque non immeritò concepimus, archipresbytero in Angliâ constituto pro cæteris dirigendis promptissimè assistat, atque operâ consilioque continuò opituletur: istic verò in Belgio, ut sacerdotibus omnibus seminariorum sæcularibus præsit, qui reverendissimi domini nuncii apostolici peculiari curæ commissi non sunt; hoc est, qui extra provincias Brabantiæ atque Flandriæ vixerint, vel qui ex quâcunque Belgii, Galliæ, aut Germaniæ parte ad missiones Anglicanas profecturi sunt; ac facultates ejusmodi iis tribuatis (ex iis, quas vobis jam dedimus) quales ad majorem Dei glo-

riam, consideratis temporis, loci, et personæ circumstantiis, expedire, auditis consultoribus vestris, in Domino judicabitis. Quòd si aliis etiam facultatibus indigere vos, ad hoc ipsum officium præstandum, significaveritis, eas vel transmittemus statim, vel pro iisdem apud sanctitatem suam intercedemus. Consultores autem, ad sublevandam oneris partem, assignamus reverendos viros, D. Laurentium Webbum, ac Gulielmum Harrisonum, theologiæ doctores (quorum merita à multo mihi jam tempore cognita sunt), aliumque, tertio loco, quem tibi permittimus eligendum: quorum judicium, in rebus majoribus agendis vel decernendis, cùm audieris, penes teipsum tamen resolutionis arbitrium remanere volumus; ne ulla judiciorum disparitas divisionem aliquam pariat animorum, quam penitùs ex hoc opere abolere cupimus: in eâque re maximè industriam vestram enitere oportebit, ut pax, unio, ac disciplina conservetur. Porrò, sexto quoque mense, tam ipse, quàm consultores, ad me rerum Anglicanarum statum (si non sæpiùs) perscribetis; tam quæ isthic apud vos, quàm quæ in Angliâ gerantur; præcipuè verò, quâ animorum conspiratione procedatur, post hanc subordinationem institutam, quique maximè sint, qui eam promoveant, vel impedimenta afferant; ut sanctissimus dominus (prout par est) de omnibus quàm verissimè informetur. Quòd si ex Angliâ significatum vobis fuerit per eos, quibus jurisdictio in alios commissa jam est, vel per quoscunque fide dignos, aliquem sacerdotem inquietè, vel scandalosè ac cum offensione bonorum, se gerere, hunc licebit vobis admonere, vel reprehendere, aut facultates ejus restringere, vel etiam auferre, si necesse fuerit; imo et ex Angliâ evocare: licèt hoc extremum, nòn nisi nobis priùs admonitis (ut cum sanctissimo domino rem conferamus), nostroque responso accepto, faciendum vobis erit: nisi ejusmodi casus accidat, in quo periculum manifestum in morâ dilationeque futurum conspiceretur. Neque modò plura occurrunt: quæ erunt reliqua postea perscribentur. Vale.—Romæ, ex ædibus nostris, 7°. Martii, 1598.

Reverentiæ vestræ uti frater,

Henricus Cardinalis.

No. XXIII.—(*Referred to at page* 48.)

The Protestation of Mr. John Mush, one of the chief of the Appellant Clergy, concerning the Archpriest's Power. March 8, 1599.

[MS. formerly in Douay College.]

Quæritur an acceptare velim pro meo superiore archipresbyterum, eidemque me subjicere, quem alii dicunt jussu suæ sanctitatis, alii vero narrant ejus injussu, et per solum illustrissimum cardinalem protectorem, super universum clerum Anglicanum constitutum esse superiorem?

Dico: cùm ex hujus authoritatis occasione, et ejus primâ promulgatione, gravissima scandala et contentiones in ecclesiâ Anglicanâ oborta sint, et inde adhuc magis quotidie eadem ingravescant, asseraturque à multis presbyteris, hanc potestatem non ex jussu, vel mandato, S.D.N. institutam, sed ad quorundam privatorum instantiam, absque aut omnium, aut plurimorum certè sacerdotum consensu, vel notitiâ, esse surreptam: interea cum, communibus ejusdem cleri suffragiis et votis, ageretur de quibusdam mittendis Romam, qui à suâ sanctitate episcopos peterent, vel suffraganeos in variis regni provinciis constitui, et nobis præfici, pro maximis ecclesiæ Anglicanæ necessitatibus sublevandis: cùm denique presbyteri aliqui jam Romam profecti sint, qui S.D.N. de omnibus reddant certiorem, atque ad nos referant quid in quâque re sua sanctitas statuere velit, ac jubeat observari; num videlicet episcopos nobis præficiendos, vel archipresbyterum decernat;—dico, inquam, me nihil ad quæsitum jam posse respondere, donec pleniùs constiterit, quid sua sanctitas in hac controversiâ decernere et statuere velt. Sed cùm primùm sanctissimi D.N. sententia et decretum nobis innotuerit, eidem libentissimè et promptissimo animo in omnibus me pariturum profiteor. Interea autem, dum hæc sciantur, archipresbytero, quem narrant nobis superiorem jam esse constitutum, in nullâ re contradicam, aut ejus authoritati (qualis qualis fuerit) refragabor; ut Christiana pax et charitas integra inter nos et illæsa in omnibus permaneant.

Ita ego Johannes Musheus, Presbyter, meâ manu.

No. XXIV.—(*Referred to at page* 50.)

Cardinal Cajetan to the Archpriest, Mr. Blackwell. Nov. 10, 1598.

[Copy formerly in Douay College.]

Henricus cardinalis Cajetanus S. R. E. camerarius, Angliæ protector, &c. admodum reverendo, et dilecto in Christo, Georgio Blackwello, archipresbytero, salutem in Authore salutis.

Admodum reverende, ac in Christo dilecte, uti frater. Vehementer sanè delectati sumus iis literis, quas satis frequentes ad me, his diebus, tùm charitas tua, tùm consultores etiam tui presbyteri assistentes, aliique viri graves non pauci dederunt, de justâ lætitiâ communique approbatione subordinationis illius, quam sanctissimus Dominus, justissimis piissimisque de causis, per nos in clero isto Anglicano instituendam curavit. Hoc enim et à virtutis vestræ singulari opinione, et vitæ quoque professione excellentis expectandum omninò erat, ut qui, ad restituendam Christi vicario sedique apostolicæ obedientiam debitam, tot pericula ac labores obitis, ipsi obedire ejusdem sanctæ sedis ordinationibus non recusaretis; sed alacri potiùs animo (quod fecistis) summi pastoris

vestri statuta, ad utilitatem, pacem, et corroborationem vestram edita, obviis, ut aiunt, ulnis amplecteremini. Itaque ex hac vestrâ bonorumque omnium presbyterorum adeò promptâ hilarique obedientiâ, quam literis contestati sunt, cùm sanctissimus Dominus, tùm ipse etiam, pro officii mei ratione, ac eo prætereà, quem in vos sentio singularem amorem, gaudium profectò atque ædificationem non mediocrem accepimus, quam optassem quidem perpetuam, vel certè diuturnam. Sed posterioribus quidem nunciis turbari aliquantulum cœpit, cùm esset perlatum, quosdam (uti fieri solet) refragari cœpisse, ac contentiones ciere, conventicula quoque agitare, ut superiorum mandata in questionem vocentur. Tandem denique ad sanctitatem suam per ministros, in partibus Borealibus (uti videtur) existentes, significatum est, duos ex Angliâ presbyteros à tumultuantibus his emissos jam esse, qui huic subordinationi ecclesiæ Anglicanæ, sanctitatis suæ jussu institutæ, contradicant. De quâ re factus certior, sanctissimus permolesto animo (prout æquum est) accepit; voluitque pleniùs de perturbatoribus informari. Cùmque charitas tua nihil adhuc certi hac de re, neque de hominum istorum moribus, vel actionibus, ad nos scripserit (quod tuæ sanè modestiæ ac pietati tribuitur, ne facilè ad fratrum descendas accusationem), nunc tamen, sanctissimo id postulante, ut informatio debita de omnibus habeatur, faciendum tibi erit omninò, ut rerum veritas per te patefiat; acceptis et ad nos transmissis (quoad commodè et sine periculo fieri poterit) bonorum tecum conspirantium sententiis, ac reluctantium etiam separatim notatis nominibus, causisque percensitis, quas reluctationi suæ prætendunt. Quod ut faciliùs citiùsque ex nostræ ordinationis authoritate perficias, hoc tibi cæterisque presbyteris injungimus, ut statim ac diligenter fiat; variaque harum literarum autographa ad te mittenda jussimus, quo faciliùs multis, ad rei peragendæ brevitatem, ostendi possint: Dominum precantes, ut magnâ bonorum suorum abundantiâ vos compleat, et pace, verâque charitate, quæ perfectionis omnis vinculum est, dignos efficiat, neque defatigemini animis, ut apostolus hortatur, si difficultates et contradictiones nonnullas in hoc vestro regimine experiamini: id enim vel optimis semper ecclesiarum rectoribus ab initio contigit; et idem apostolus ipsius Christi Domini exemplum vobis proponit: *Qui talem*, inquit, *sustinuit a peccatoribus adversum semetipsum contradictionem.* Sed omnia tandem ipse Dominus pacabit, fluctusque exurgentes compescet, vosque de laboribus vestris ac patientiâ cumulatè remunerabitur. Ipse vos custodiat semper. Romæ, die 10 Novembris, anno 1598.

Reverentiæ vestræ uti Frater,

Henricus Cardinalis Cajetanus, Protector.

No. XXV.—(*Referred to at page* 52).

Colleton to Blackwell. Aug. 11, 1598.

[MS. formerly in Douay College.]

Very Reverend Sir,—

Although some be pleased to pass their hard censures of me, yet, by the record of my own conscience, I both fear and am loath to offend, and do no way affect ignorance. I requested you once heretofore, and now again, with all instance and like humility, do redouble the petition, that I may receive from you perfect notice of all such particulars, wherein your authority bindeth me to obey. Suffer not, good sir, an unwilling mind to err. I hope I ask no other thing, than what of right to me belongeth; nor after an undue manner. Verily, if I see myself, I dare affirm my will and care for such, as I would not, for aught, advisedly disobey in any command, whereto the most of your authority stretcheth, or may justly be extended. In other points, wherein my understanding holds me not tied, I must confess that the manner of usage I have received from you, and the hard conceits, which you carry of me, divulged, and brought by many ways to my hearing, have made me much less respective, and of more unfriendly demeanour, than otherwise I should have been, or by nature am inclined to. Fare you well. August 11, 1598.

By him, who desireth to see, and amend, what is, or hath been, amiss,

John Colleton.

No. XXVI.—(*Referred to at page* 52.)

Literæ communes Cardinalium Cajetani et Burghesii ad Rectorem Collegii Anglorum de Urbe, &c. de causâ Gulielmi Bishop et Roberti Charnock. April 21, 1599.

[Copy, formerly in Douay College,]

Reverende in Christo pater, uti frater. Cùm auditâ his diebus et examinatâ duorum sacerdotum Anglorum causâ, nobis à sanctissimo commissâ, Gulielmi nimirum Bishopi et Roberti Charnocki, qui sanctitatis suæ jussu per menses aliquot in isto collegio detenti fuerunt, visum nobis fuisset, nullo modo causæ Anglicanæ expedire, ut dicti presbyteri statim ad eas partes revertantur, ubi controversias cum aliis sui ordinis hominibus exercuerant, id ipsum modo, re cum sanctissimo collatâ, ejusque desuper voluntate iterum exploratâ, decernendum ac statuendum duximus. Quapropter præfatis Gulielmo et Roberto sacerdotibus, sanctitatis suæ nostroque nomine, ordinamus, ac in virtute sanctæ obedientiæ, sub pœnâ suspensionis à divinis ipso facto incurrendæ, aliisque censuris pœnisque sanctissimi D.N. judicio infligendis, strictè præcipi-

mus, ut, nisi de expressâ sanctitatis suæ, aut illustrissimi cardinalis protectoris licentiâ, Angliæ, Scotiæ, vel Hyberniæ regna pro tempore adire non præsumant; sed apud alias regiones catholicas, quibus à nobis præscriptum eis fuit, quietè, pacificè ac religiosè vivant; curentque tàm literis, quàm nunciis, aliisque modis omnibus, quibus possunt, ut pax unioque inter catholicos Anglicanos, tam domi, quàm foris, conservetur. Quæ si ipsi verè ac rebus ipsis præstiterint, citiùs deinde licentia revertendi restitui eis poterit. Hæc verò interim legitimè ab eis observari, fideliterque executioni mandari præcipimus; hocque nostro nomine R. V. eis significet. Dat. Romæ in ædibus nostris, die 21 Aprilis, 1599.

Reverentiæ Vestræ

Uti frater, H. Cardinalis Cajetanus, Protector.

Uti frater, C. Cardinalis Burghesius.

No. XXVII.—(*Referred to at page* 53.)

Breve Clementis Papæ VIII. confirmans Institutionem Georgii Blackwelli Archipresbyteri. Aprilis 6, 1599.

[Copy formerly in Douay College.]

Clemens Papa VIII.

Ad futuram rei memoriam, &c. Inter gravissimas nostræ pastoralis solicitudinis curas, illæ, de catholicâ religione nimirum conservandâ et propagandâ, præcipuum locum obtinent. Propterea, quæcunque ad hunc finem, mandato nostro, per S.R.E. cardinales gesta et ordinata sunt, ut debitum consequantur effectum, apostolicæ confirmationis robore communimus. Nuper siquidem, dilectus filius noster, Henricus, tituli sanctæ Potentianæ, presbyter cardinalis Cajetanus, S.R. Ecclesiæ camerarius, ac nationis Anglicanæ apud nos et apostolicam sedem protector, pro felici gubernio et regimine, ac mutuâ dilectione, pace, et unione catholicorum regnorum Angliæ et Scotiæ, et pro disciplinâ ecclesiasticâ conservandâ, et augendâ, de mandato nostro, dilectum filium Georgium Blackwellum, sacerdotem Anglum, sacræ theologiæ baccalaureum, ob ejus pietatem, doctrinam, catholicæ religionis zelum, et alias virtutes, in archipresbyterum catholicorum Anglorum, cum nonnullis facultatibus per eum, et alios duodecim sacerdotes, illius assistentes, respectivè exercendis, per ipsius patentes literas expeditas (quarum initium est: *Scitum est, atque usu ferè quotidiano compertum* &c., finis verò; *vestrisque orationibus me ex animo commendo, patres fratresque amantissimi, Christi confessores, die* 7 *Martii an.* 1598), deputavit, prout in prædictis patentibus literis, quarum tenorem præsentibus, ac si ad verbum insererentur, pro expresso habere volumus, pleniùs continetur. Nos autem cupientes deputationem prædictam, ac

omnia in præfatis literis patentibus contenta, tanquam de mandato et ordine nostro, ac cum participatione ac plenâ scientiâ nostris facta et ordinata, plenariè executioni, ut par est, demandari, et, ut illa omnia pleniorem roboris firmitatem obtineant, providere volentes, motu proprio, et ex certâ scientiâ, et maturâ deliberatione nostrâ, deque apostolicæ potestatis plenitudine, deputationem supradictam ac prænominatas Henrici cardinalis protectoris patentes literas desuper expeditas, cum omnibus et singulis in illis expressis facultatibus, privilegiis, indultis, instructionibus, declarationibus, ac aliis quibuscunque contentis, in omnibus, et per omnia, perinde ac si omnia hic nominatim expressa et specificata essent, authoritate apostolicâ tenore præsentium confirmamus, et approbamus; illisque apostolicæ ac inviolabilis firmitatis robur adjicimus; et omnes, ac singulos defectus, si qui in iisdem intervenerint, supplemus; eaque omnia, et singula, de expresso mandato et ordine, et cum participatione, et certâ scientiâ nostris, facta et ordinata fuisse, et esse, ac propterea valida, firma, et efficacia existere, et fore, ac plenissimam roboris firmitatem obtinere, suumque plenarium effectum sortiri et obtinere, sicque ab omnibus censeri, et ita per quoscunque judices ac commissarios judicari ac definiri debere; ac irritum et inane quicquid secùs super his à quoquam, quâvis authoritate, scienter vel ignoranter, contigerit attentari, decernimus; non obstantibus constitutionibus et ordinationibus apostolicis, cæterisque contrariis quibuscumque. Datum Romæ, apud S. Petrum, sub annulo piscatoris, die 6 Aprilis, anno 1599, pontificatûs nostri anno octavo.

M. Vestrius Barbianus.

No. XXVIII.—(*Referred to at page 53.*)

*** *T. G——. to Garnet. June* 1, 1599.

[Original Stonyhurst MSS. Ang. A. ii. 56.]

Reverend Sir, Primo Junii.

I am willed by Mr. Wells[1] briefly to advertise you that, this Friday night, he and Mr. Collinton, who is newly come from Wisbeach, have met and conferred, touching the business he went thither for. He found, at his coming, no resistance to be made against the authority, by any that heretofore had opposed themselves (he having assured them that he had seen a breve); only they complained of wrongs offered them, as they think, and, namely, of complaints carried to Rome against some of them; yet protesting that they never resisted the authority, but exacted authentical proofs, to persuade them to obey it. That proof being now come, they receive it with all obedience, and desired

[1] Blackwell.

the general opinion to be had of it, through the whole house: which all, with one voice, allowing, such as heretofore had been contentious desired that a general reconciliation might be made amongst them all, and that all quarrels and unkindness might be forgotten and forgiven: in token whereof, they met all together in friendly shew at supper, and have resolved upon a union never to be broken again.

Mr. Collinton hath brought the copy of most extreme orders, set down by the council, for the prisoners, which, by cause they be many, I will omit all in general, until you shall see them at convenient leisure. Mr. Collinton is gone now out of town, but will be here again on Monday, at the farthest, purposely to talk with you, and to make a charitable conclusion of all unkindnesses. This favour Mr. Wells[1] desireth you to grant him, who will likewise meet you, to talk about other occasions. If I may know your mind, by letter or message, I will accordingly inform the parties. And thus, sir, late this Friday night, I take my leave, resting at your commandment.

T. G.

Endorsed by Garnet,

" A friendly letter to me, concerning the submission of Wisbeach."

No. XXIX.—(*Referred to at page 53.*)

Sententia Facultatis Theologiæ Parisiensis de Causâ Archipresbyteri. May 3, 1600.

[MS. in my possession.]

Anno Domini millesimo sexcentesimo, die 3° Maii, propositum fuit facultati theologiæ Parisiensi, quòd, literis cujusdam illustrissimi cardinalis, quidam superior ecclesiasticus in regno quodam constitutus est, cum titulo et dignitate archipresbyteri, ut haberet authoritatem et jurisdictionem super omnes alios presbyteros in eodem regno commorantes. Cardinalis autem in illis suis literis declaravit, se id fecisse juxtà voluntatem et beneplacitum summi pontificis.

Multi verò ex illis presbyteris recusarunt subsignare authoritati ejusdem archipresbyteri priusquàm ipse obtinuisset literas apostolicas, confirmationis suæ tenorem continentes; tum quia novum omninò erat, et in ecclesiâ catholicâ hactenùs inauditum illud genus regiminis, ut archipresbyter universo regno præesset, et talem jurisdictionem haberet in singulos ejus regni sacerdotes; tum etiam quia, ex quibusdam verbis illarum literarum illustrissimi cardinalis, visi sunt sibi videre, talem archipresbyterum, et authoritatem ejus, ex falsâ informatione à summo

[1] Blackwell.

pontifice fuisse concessam; tum denique, quia in electione ejusdem archipresbyteri, et consiliariorum ejus, magnam adverterunt extitisse personarum acceptionem. Propter quas et alias nonnullas rationes, sacerdotes illi miserunt ad summum pontificem nuncios, qui has suas difficultates ei aperirent; unaque significarent, se paratissimos esse in toto hoc negotio, aliisque omnibus, suæ sanctitati semper obedire.

Archipresbyter verò, et qui ab ejus parte stant, illos sacerdotes schismatis accusant, quòd literis cardinalis, quas etiam ex summi pontificis voluntate exaratas dicit, parere detrectaverint.

Quæstio igitur est, an illi sacerdotes sint schismatici? Et si non sint, an graviter saltem peccaverint?

Viri principes facultatis theologiæ Parisiensis, selecti à totâ facultate, congregati in domo majoris apparitoris sui, anno et die suprascripto. re maturè consideratâ, ita censuerunt:

Primò, illos sacerdotes, qui distulerunt obedire ob dictas causas, non esse schismaticos:

Secundò, censuerunt illos, eo facto, in se spectato, non peccasse prorsùs.

De mandato dominorum decani, et magistrorum nostrorum deputatorum et selectorum sacratissimæ facultatis theologiæ Parisiensis.

Delacourt.

Blackwell's Decree against the above-recited Determination, May 29, 1600.

[Copy formerly in Douay College.]

In the name of God, Amen. We, George Blackwell, archpriest of England, and protonotary apostolical, by the authority sufficiently and lawfully committed unto us, do strictly command, in virtue of obedience, and under pain of suspension from divine offices and loss of all faculties, in the fact itself to be incurred, all ecclesiastical persons (as also all lay-catholics, under pain of being interdicted, semblably in the fact itself to be incurred), that they neither directly nor indirectly maintain or defend, in word or in writing, the censure of the university of Paris; whether it be truly given, or forged; whether upon true information, or otherwise; as being prejudicial to the dignity of the see apostolic, and expressly contrary to his holiness's brief, and to the sentence judicially given by the two cardinals, appointed judges in our cause, and to our common peace, so much wished for by his holiness, And this we command to be inviolably observed, under the pains afore specified; and greater also, according to his holiness's pleasure.

**** *Blackwell to Garnet, June* 1, 1600.

[Fragment. Original. Stonyhurst MSS. Ang. a. ii. 66.]

Collinton, by my censure, is defeated of all his triumphs. He had twenty sheets ready for the print, to disprove us: but now he saith, 'I will take heed not to incur the pain of the censure, lest I lose my faculties, which are greater than Mr. Blackwell will or can give me." Now questions are moved, whether they may not defend their own private opinion, that they were not schismatics, or whether they may not utter so much. I answer that I will not have any more speech in defence thereof; and so much the words imply, *directè aut indirectè*. They be at their wits' end, and cry out "*sharp, sharp*." It is hoped that I will not signify the matter to Rome.

Charnock must be censured with suspension *à divinis, et amissionis facultatum:* for he hath brought in with him an answer, as I am told, of three sheets, against father Persons's Reply; and this made by *no-doctor* Bishop. He vaunteth that the judgment of the cardinals was imperfect, as having the one part referred to be put down by father Persons: "and therefore," saith he, as I am told, "it is no judgment:" and for this he hath the opinion of a public notary. He hath not answered my letter. I pray you put down briefly . . . . *cætera desunt.*

[This fragment originally formed the middle of the letter, the beginning and the end of which have been carefully cut off. What remains is endorsed by Garnet himself, with the words, "*A piece of Customer's letter to me. Primo Junii*, 1600." "Customer" was a cant appellation for the *archpriest.—T.*]

No. XXX.—(*Referred to at page 53.*)

Blackwell's sentence against Mush and Colleton. Octob. 17, 1600.

[MS. formerly in Douay College.]

Omnibus dilectissimis mihi assistentibus, et clero Anglicano salutem.

Sciatis nos, antegressis temporibus, duobus istis D. Joanni Musho et D. Joanni Collingtonio facultates suspendisse, propter eorum manifestam inobedientiam, et perturbationem pacis; postea autem eas restituimus, ex ipsorum submissione. Quoniam autem illi jam defendunt causam suam, et satisfactionem petunt, &c., et varias ad nos literas dederunt, contumeliis sive calumniis plenas, partim emissas in nosmetipsos, partim in alios etiam superiores, atque etiam hoc ipso tempore multa satagunt contra pacem, &c., Ideo nunc, Nos, Georgius Blackwellus, archipresbyter Angliæ, revocamus his duobus omnes facultates, &c.; jubentes ut omnibus catholicis id notum faciatis, ne ab iis fortasse sacramenta recipiant. Plura ex communibus literis intelligetis; in quorum

fidem hisce nostris literis, sigillo nostro munitis, manu propriâ subscripsimus, Londini, 17°. Octobris, 1600.

Vester servus in Christo,
Georgius Blackwellus,
Archipresbyter Angliæ.

Colleton to Blackwell, with the Appeal. *Nov.* 25, 1600.
[Copy formerly in Douay College.]

Very Reverend Sir,—

We send you our appeal here enclosed, and have prefixed the reasons; to the end, yourself denying to mitigate the rigour on foot against us, our country may see, till further satisfaction come forth, whereupon the discreet may suspend their condemnation of us. Another cause, that alike moveth us thereunto, was, the affiance we hold, that your reverence, understanding our grounds in this full manner, would neither reject the appeal, nor blame us for the making [of it], and less punish us, for a necessity so many ways behoveable. Again, our poverty, want of means, skill, and friends, to prosecute the matter, did not a little perswade the particularizing of some of our pressures, in regard the persons, whose helps we are to solicit in the managing of the business, may the more willingly, viewing the measure of our oppressions, yield us their most furtherance. How long, and with what discontentment of my fellows, I have prolonged the sending of the appeal, in hope of a more quiet issue in the difference, none almost, that are of our side, but can witness. And now, being brought in despair of expecting any such good end, by the tenour of your yesterday's letter, I can but grieve, and commend the success to God. Concerning that part of your last edict, which forbiddeth, under heaviest penalties, either to give or collect suffrages upon any cause soever, before the same be communicated to yourself, or to two of your reverend assistants, how hard soever the injunction appeareth, yet, for obedience, we acquaint you by these, with our determination of procuring other our brethren to subscribe to the appeal, and, as their names shall come to our hands, so to send them unto your reverence. Thus beseeching the goodness of Almighty God ever to guide you to the doing of his holy will, I take my leave. November 25, 1600. Dutifully yours,

John Colleton.

*** *Appeal of Thirty-three Clergymen against Blackwell.* *Nov.* 17, 1600.
[Colleton's Just Defence, 192.]

To the very Reverend Master George Blackwell, archpriest of the seminary priests in England.

Very many and most unworthy are those things which, for these two

years last past, we have endured at the hands of the fathers of the society of Jesus, and of your reverence, both approving and multiplying their injuries done against us.

Among the reasons, why hitherto we have borne with silence so unjust burthens, our affiance was not the least, that the equity of our cause by little and little seen deeper into, some ease or toleration of our said burthens would in short time grow unto us. But having now, by more than long trial, found both ourselves to be deceived in our hopes, and also the weight of our afflictions so excessively increased, by reason of such our patience, that not only we ourselves, but a great number of lay catholics, most deservedly dear unto us, are thereby also marvellously oppressed, we are enforced, by appealing, to flee to the see apostolic in most humble manner for succour. The reasons of which appeal are these that ensue.

I. First, for that your reverence hath often approved the too great injuries and reproach, which the fathers of the society, in word and deed, most wrongfully laid upon us; as, namely, when father Lister, jesuit,[1] composed and had set forth a Treatise of Schism against us (who, upon just causes, deferred for a while to subject ourselves to your authority, till, either by view of apostolical letters, or other canonical proof, the same were shewed to be instituted by his holiness's command, and enjoined unto us): in which, beside other unseemly speeches, he hath these slanders in the fifth paragraph:—

"*These factious persons are stricken down with the dolour of their own ruin, in that they have resisted the pope's decrees. They have lost their place among priests: they are debarred the practice of their holy function: their judgment is to be contemned, and already they are condemned by the holy apostolic church.*"

And in the conclusion, or seventh paragraph, these:—

1. "*Ye are rebels.*"

2. "*Ye are schismatics, and are fallen from the church and spouse of Christ.*"

3. "*Ye have trodden under foot the obedience you owe to the pope.*"

4. "*Ye have offended against all human faith and authority, by rejecting a moral certainty, in a moral matter.*"

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[1] [It is of this Lister that Garnet, writing to the general in 1597, says, "Angor animi, ac dubius atque anceps hæreo, quid [cum] illo agam, cujus omnis morbus, non tam à cerebri infirmitate, quàm ex animi perturbatione ac levitate proficiscitur. * * * Ego illum amo, ac vicissim, ni fallor, ab eodem redamor; sed magnâ profectò opus est prudentiâ ac luce Spiritûs Sancti, quam per dominationem vestram mihi impetratum ire confido."—Stonyh. MSS. Ang. A. ii. 23.—*T.*]

5. " *Ye have run headlong into excommunication and irregularity.*"

6. " *Ye have lost the faculties by which you should have gained souls to Christ.*"

7. " *Ye have raised up so great scandal in the minds of all the godly, that, as infamous persons, you are tennised in every man's mouth.*"

8. " *Ye are no better than soothsayers and idolaters, and, in regard ye have not obeyed the church, speaking unto you by the highest bishop, you are as ethnics and publicans.*"

When, after the publishing of these detestable untruths, we made petition to your reverence, to know whether you did approve these defamations against us, you answered, under your own handwriting, as followeth, March 26, 1599[1]:—" I allow of the said discourse and censure. George Blackwell, archpriest."

Furthermore, when, at another time, we made humble request to your reverence for the revoking of the said slanderous treatise, you wrote back this answer, April, 1599:[2]

" Your request is, that we should call in the treatise against your " schism; and this is unreasonable, because the medicine ought not to " be removed, before the sore be thoroughly cured. If it grieve you, " I am not grieved thereat. George Blackwell, archpriest."

Also in your letters of the 14th of March, in the year following, we having then written again to your reverence about the several infamies wherewith three of the fathers of the society had charged us, and specifying some of them in particular, you gave this answer:[3]

" You note, in these, terms condemning untruths, not seeing how " truly and justly your condemned deserts did draw such names upon " you before your submission; and these names might have taught you " how each man's iniquity evermore hurteth himself, [and] never " profiteth.

" George Blackwell, Archpriest, and Protonotary Apostolical."

In brief, when father Henry Garnet, provincial of the jesuits in England, writing to one of our ancient priests,[4] avowed, among other indignities, this over bold assertion;—" Ye have, in the judgment of all " the learned, incurred the most shameful note of schism;" and turning his speech to the priest himself thus,—" You have so entangled them, " whom you have brought to Christ, or whose pastor and father you " have been, as, if they shall receive sacraments of you, if they shall " induce you to say mass, or shall assist you in celebrating, they seem " to partake with you in the crime of exercising your function un-

[1] Letter to Colleton. [2] Letter to Mush, Colleton, and Hebourne
[3] Letter to Colleton, Drury, Hebourne and another. [4] Colleton.

"worthily, and, in lieu of a medicine, carry away poison; March 7, 1599:"—and when the priest, to whom the aforesaid letters were written, had rejoined, complaining of the injury, your reverence, in behalf of father Garnet, thus by letter answered him again:

"You ought for their writings and admonitions to have thanked "them in most dutiful and humble manner." And after a few lines,— "I will defer to chasten you for a while, in hope of your recovery; and "therefore this shall be to you but as a messenger of punishment for "your disobedience, and as an advertisement for you, to view ad- "visedly how ignorance, error, pride, and obstinacy, have drawn you "within the compass of schism."

II. The second cause is, because, notwithstanding we ever, by word and writing, protested our ready obedience to all and every commandment of his holiness, and that neither breve nor other binding testimony should sooner at any time be shewed unto us, but it should find us submissively obedient in whatsoever (neither was this more or otherwise than what our deeds themselves made good; for, as every man can witness, no moment passed between the shewing of his holiness's breve, and our acceptance, or absolute submission to your authority: yea further, we were then also content, merely for peace' sake, to remit all the reproach, infamy, calumniation, all and singular injuries that were most riotously spent, in the interim, as well against ourselves, as our best friends); we say that, notwithstanding all this our pressed readiness and submission, your reverence divulged the resolution following; which too too unlucky fact was the total cause of these our new debates:—

"We have received a resolution from our mother city, that the "refusers of the appointed authority were schismatics: and surely I "would not give absolution to any that should make no conscience "thereof. . . . . And therefore my direction is, that they "make account thereof, and do make satisfaction before they receive "the benefit of absolution."

And according to the purport of this dispersed resolution (which, albeit, by your own affirmance, you received it either from father Warford or father Tichbourne, two English jesuits resident at Rome, yet your reverence did so propose and grace the same, as many then did, and as yet some do, believe, that the said resolution came as a definitive sentence from the see apostolic), yourself would not restore Mr. Benson to the use of his faculties, neither upon his own humble suit, nor mediation of his fellow-prisoners, who also had, and then did, suffer very hard imprisonment with great constancy, unless he would first agnize and testify under his hand, that he was grieved for his

adherence to the schismatical conventicle; your reverence being pleased to dub our company with so hateful a name.

Also in your letters to another priest,[1] bearing date the 22d of February, 1600, thus you write;—"I determined that, hereafter, whosoever had faculties of me, he should first be content to recal his peevish opinion;"—terming the opinion *peevish*, that doth not hold us for schismatics.

Furthermore, your reverence affirmed (which shook and galled the new peace not a little) that assertion of father Jones, a priest of the society, to be true; avowing all those to incur presently the censures of holy church, who should stiffly defend that we were no schismatics:[2] which position you again ratified in your letters given the 14th of March, 1600.[3]

III. The third cause is, because that, after the contentions thus revived by your reverence and the fathers of the society, we, who evermore most desired peace, did never but find you partial on our adversaries' side, and towards us and the cause in controversy a hard superior, and so exceeding prone to have us generally condemned, that you spared not to forbid us to defend our own good names, under threat of grievous punishment, as is manifest by your letters of the 12th and 17th of February, and the 14th of March, where these words are read:—

"If ever I can find hereafter that, either by word or writing, you "justify your enormous disobedience (viz., in delaying to yield yourselves absolutely to our authority, before the coming of his holiness's breve) as void of sin, this being a sign of want of grace and the maintenance of sin, which is a high pride, I will suspend you from your function, as unworthy to exercise the same."

Likewise when we, to take away the scandal, which, by reason of this our imputative schism, was rife every where, and to make peace again in our church, now a long while most miserably rent through this mutual discord, besought most earnestly your reverence and the fathers of the society, that it would either please you to leave off to renew the calumny of schism against us, or afford your assistance and furtherance, that the question might quietly be conferred of, or disputed, by some of either side, before three or four of the senior assistants, and one ancient priest of our part, as umpires and determiners of the whole controversy, your reverence utterly rejected the petition: in what sort, the words of your own letters do best testify, the fourteenth and sixteenth of March:

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[1] Mush. [2] Letter to Colleton.
[3] Letter to Drury, Hebourne, and others.

"Your petition is a tumultuous complaint.—Your prescriptions (so "terming our supplication) are as empty of due consideration, as they "be blown out with the spirit of a tumultuous presumption.—Your "supplication cavilleth against my proceedings, and the speeches of my "best friends. I shall much muse if ye shall not be abashed of this "your attempt."[1]

Moreover, when several detractive letters, written by father Persons and others, and made common in our country, did daily more and more wound in credit both ourselves and our dearest friends; and when, for this cause, our ghostly children (who, together with us, were both reputed and shunned by you as schismatics, or, at the least, as very grievous sinners, and for none other fault, save only that they took our part, and relieved our miseries) very instantly dealt with us that now, without any further delay, we would address ourselves to free both their and our own innocency from the crimes and calumniations imputed: wherefore, as men thereunto obliged in conscience, we determined, as well for the removing of infamy from our priesthood, as to bring quietness of conscience to such as are under our charge, to divulge a temperate apology; which intention and design of ours being understood, your reverence anon prohibited, under heavy censure and forfeit of faculties, the divulging of such a defence; and, to this purpose, used a smooth pretence of godliness and peace, viz., lest the lawful state might be troubled, or any man's good name receive blemish, as is apparent by the specialties that follow:—

"I George Blackwell, archpriest in England, in virtue of holy obedi-"ence, and under pain of suspension from your office and loss of all facul-"ties, in the deed itself to be incurred, do prohibit all priests to divulge "any book set out within these two years, or hereafter to be set out, by "which the lawful state may be disturbed, or the fame of any clergy "catholic person of our English nation may be hurt by name: and the "same commandment is also given to the laity, under pain of being "interdicted. Jan. 17, 1599. "George Blackwell, Archpriest."

The severity of which edict appeareth so much the greater, in that your reverence afterwards declared, that you took the word "book" in the signification which it carrieth in *Bullâ Cœnæ Domini,* where heretical books are forbidden: so as now we fall into the above-mentioned penalties, if we but divulge the least writing or defence, whereby any English catholic clergyman (such as all our hard friends be) shall or may receive blot or hurt in his good name: neither skilleth it whether

[1] To Colleton, Mush, and others.

justly or unjustly, upon desert or without; the edict containing no such limitation or proviso at all. And being after this manner suspended and deprived of faculties, we are therewith bereft of all the means of getting sustenance, harbour, or other temporal succour, these every way depending on the practice of our priestly function, and use of faculties.

Finally, seeing that there was neither mean nor measure kept, in opprobrious speeches against us, nor that we might any way obtain a friendly discussing and ending of the matter between ourselves, no, nor as much as to be licensed to defend our cause or good name, either by word or writing, we, especially for the greater safety of our conscience, held it our bounden duty to propose the whole difficulty and state of the controversy to the divines of the university of Paris, to the end that they, taking pity of the calamity of our church, and the sooner through the mediation of our humble suit, would vouchsafe to deliver their censure and opinion in the difference. Which good and charitable office they no sooner performed, but your reverence enacted a decree, that no one, upon pain of heaviest forfeitures, should any way maintain the censures of so great and famous clerks. The state of the question, the resolution of the university, and the edict of your reverence follow word by word.

[*These have been given in the preceding number of this Appendix.*]

IV. The fourth cause is, because your reverence doth very earnestly defend whatsoever the fathers of the society either speak or do against us; insomuch that, when we refused to obey them in that counterfeit imputation of schism, and required a retractation of that foresaid infamous libel, your reverence stood so mightily against us, that, for this cause, the seventeenth of October, 1600, it pleased you to revoke, and wholly to take away, all faculties from two of our most ancient and reverend priests: by which fact, very many, of good place and account, were touched with so great grief, scandal, and offence, that every where they bewailed and complained of this calamity; and so much the more, for that these were the special men that had longest and best deserved of our church, and, being greatly loved of cardinal Allen, of pious memory, were by him honoured with special and extraordinary faculties above the rest.[1]

[1] [Mush and Colleton.—Allen's letter to the former, dated March 16, 1594, affords not only a beautiful picture of the writer's mind, but also a convincing testimony of his regard for Mush. Addressing him as his "well-beloved father and friend," he says, "Because I could not satisfy myself enough, nor make you know so fully as I desired, in presence, how much contentment I took of your late company and conversation, and especially of the often and large relation you made me of the state of the catholic cause, and, in particular, of every

Furthermore, although your reverence could not but see that all these perturbations of peace and concord, which are now in our church, took their beginning at first, and continued afterwards, upon no other cause or motive but the defence of father Garnet, and father Lister's paradox of the imaginative schism, and the patronage of that more improbable assertion of father Jones above said; and albeit likewise that your reverence very well knows, that all these mischiefs or home-dissentions might, at the beginning, and may yet, without any difficulty, be quenched by the retractation of these opinions, yet, for all this, your reverence had rather that all places should be disquieted with the trouble of these variances, and that masters and servants, parents and children, husbands and wives, pastors and sheep, priests and lay people, should grow to a hurly-burly and mutual contention, yea, and that priests themselves should fall at jars by means of this controversy, than that those three fathers of the society should revoke their errors, or, by acknowledging their temerity, make satisfaction to those, whom they had offended by such and so great an injury.[1]

V. The fifth cause is, that, seeing the holy canons do ordain, and the laws of nature itself and of all nations do require, that no man, being

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of my loving fathers', brethren, and children's pains, perils, zeal, constancy, and most generous proceedings, in defence of faith, and promoting our country's salvation, I could not omit further to assure you of my said contentment in the premises, by these few lines of mine own hand, which may serve for a more stable memory betwixt us of all such communication and conference, as hath passed at your late being here. Christ's blessing be ever on my sweet fellows and children!"—and he then proceeds, in words burning with charity, to deprecate all "dissention, disorder, and emulation of one towards another," to enforce the duty of brotherly affection, and to entreat Mush to "be earnest and peremptory" in delivering his solemn "charge and adjuration" to "all parties;" that "those of the secular order, and especially all those that have been brought up under the fathers, and found so great love, charity, and help, in all places, at their hands, be correspondent in all gratitude and thankfulness, reverencing them in word and deed, as is requisite to their merit and calling; and the fathers, on the other side, to love, cherish, favour, and embrace all the secular as their own bowels, life, and souls, and as their dearest fellow soldiers, brethren, and children. My good friend," he adds, "inculcate in my name, yea, rather in God's behalf, to *both sides* this point, lest they lose all, and bring my grey hairs the sooner to the grave" (Stonyhurst MSS. Ang. a. i. 78). Yet, in a spirit which must always be lamented, this letter of universal charity, professing, in one place, to be ignorant of the merits of the case, condemning none, and addressing its admonitions equally to all, is endorsed by Persons with the following words: —"The letter of cardinal Allen to Mr. Mush, *against the faction raised against the jesuits.*" In reference to the extraordinary powers mentioned in the Appeal, it must be added, that Mush certainly, if not also Colleton, was authorized by Allen to grant, or "subdelegate," faculties to the rest of the clergy. Garnet to Persons, Stonyh. MSS. Ang. a. ii. 37.—*T.*]

[1] [This appears to be unjust. Blackwell (and it was one of the most objectionable features of the institution) was the archpriest *only* of the *secular clergy.* He possessed no authority over the jesuits, and had no power to enforce or command the revocation of the writings in question. His real fault was, that he defended them.—*T.*]

accused, ought to be condemned of the crime, or endamaged in his goods or fame, or suffer any punishment in his person, till he be first in some sort cited, and permitted to answer unto the crimes objected, yet your reverence doth testify, by your own writing, that you in no sort are bound to any of these rules, either in judging or punishing, and this also by the will of his holiness himself: by which new kind of judgment and authority, never heard of since the world begun, your reverence hath lately taken away all the faculties from our two priests, as is said before; and there is none of us but may justly fear lest that ours likewise be taken from us, how much soever this course of proceeding seem to violate the express tenour of the letters patents of the most illustrious cardinal Cajetan, protector, of good memory, by the which your authority was delegated unto you; as doth manifestly appear to him that reads the same. Your reverence's own writing we will here set down word for word.[1]

"It is not his holiness's intention, and never was, that, in exercising "of my authority for correction of manners and conserving of our "ecclesiastical discipline and peace, in this time and in these difficulties, "we should be bound in anywise to the form of contentious and court "trials, especially in the revocation of faculties, the grant whereof, as "also the continuance, is to be deemed merely voluntary; whereas de-"legated faculties do cease, without any crime committed, at the only "pleasure of the granter, or of one that hath authority from him. "June 17, 1600. G. B., archpriest of the catholics of England."

VI. The last cause is, for that your reverence hath, by ordaining, decreed (we will use your own very words) and promulgated a decree, wherein you have pronounced and declared all us, who, before the coming of the apostolic breve, made stay of submitting ourselves, for many causes, unto your authority, to be in very deed disobedient to the see apostolic, and rebellious to your office instituted by the same see; and have, moreover, under pain of suspension, interdiction, and loss of all faculties, to be incurred *ipso facto*, prohibited us that by no means we should presume, either by word or writing, directly or indirectly, to defend that our delay, wherein your reverence and the provincial father of the society of Jesus, with others your complices, do affirm and boldly maintain the nature of deadly sin and very schism itself to be included: and many more, through your authority and persuasion, have commonly holden us, and do still repute us, as men guilty of the said enormities. Whereupon, we cannot but wonderfully admire the too too great severity of this decree, both depriving us of the reputation of

[1] Letter to Charnock.

our good names, and bringing burden intolerable for many respects upon us. For, seeing we are commanded both by God's law and man's, yea, by the very instinct of nature itself, and lastly, by the reason of our office, to defend our fame, and, so near as we can, to preserve it from touch or blemish, your reverence hath expressly forbidden us this duty, under most grievous ecclesiastical penalties and censures. And whereas, beside, we took our orders of priesthood (by which institution of life we fell into the heavy displeasure of our prince, and are made incapable of all temporal commodities, and are every minute in continual danger to lose our lives) only for the recovery of souls, and for propagating the catholic faith, your reverence hath bereaved us of that special thing which, before others, was most necessary to the attaining of the same, viz., the use of our faculties, for this only cause, that we laboured to free our good names from infaming calumniations, as we are bound to do: whereof it must needs follow, that we shall, in short space, be brought to unseemly beggary and want of all necessaries, and, soon after, to most certain destruction of life. We purposely omit here to make any mention of that prohibition of yours, to wit, that *no man go about to seek or give any voices, or make any meetings or assemblies;* which restraint is thought to be ordained by your reverence to this end, that all courses may be debarred us, by these means, both of repelling unjust oppressions by mutual connexion of voices and wills, and likewise of appealing to Peter's chair.

With the like severity, your reverence, in the same decree, doth also thunder the penalty of interdiction, to be incurred *ipso facto*, against all the laity that submit not themselves to your sentence or judgment in this controversy: the sharpness of which hard dealing may justly seem to them, for this cause, the more violent, in respect that the penalties, [with] which they are charged by the laws of our country, become so much the heavier and more burdensome unto them. For those, that are of ability, pay twenty pounds a month to the queen's exchequer, and those, that pay not the former sum, forfeit all their goods, and two third parts of their lands; and, if it can be proved that they have heard mass, they pay one hundred marks. Likewise, if they receive any priest into their house, or otherwise relieve his wants, they lose all their goods, lands, and life. Which being so, they think your reverence dealeth too severely and unjustly with them, by inflicting this censure of interdict, whereby they neither can receive sacraments, nor be present at divine service, nor yet be buried after christian manner, if they defend the sentence of the most famous university of Paris (as appeareth by the decree of your reverence before alleged), or take upon them in any sort to defend the good names of their ghostly

fathers, or any way clear those from the imputation of schism, by whose good means they were either first brought to the obedience of the see apostolic, or continued in the same, and do well know, by their long conversing with them, the sincere integrity of their lives. The decree is as followeth:—

"We, by our authority received from his holiness, do pronounce and "declare that those first letters of our institution did truly bind all the "catholics in England; and that those, who have any ways wittingly "impugned our authority, were truly disobedient to the see apostolic, "and rebellious against our office instituted by the same see." And a little after:—

"We forbid all priests, in virtue of holy obedience, and under pain "of suspension and interdict (the absolution whereof we reserve to our-"selves), I add also, the loss of all their faculties, to be incurred *ipso* "*facto* (the laity likewise, under pain of interdict to be incurred *ipso* "*facto*), that none of them presume in any wise, by word or writing, "directly or indirectly, to defend that former disobedience, the cause "of so great perturbation of peace amongst us.

"Instructed by long experience what great inconveniences have "grown, to the upholding of discord, by those privy meetings, which, "in former years, we have prohibited, so far as they have been the "nourishments of schisms, [we] do therefore once again strictly forbid "all such assemblies, commanding all our assistants, and other reverend "priests, that they advertise us of all such meetings and assemblies, "which tend not to the furtherance of piety and hospitality, or of "civility and peace. And we prohibit, under pain of suspension from "divine functions, and loss of all faculties, that no priest, in any wise, "by word or writing, go about either to seek or give any voices, for "what cause soever, before the same be known to be communicated "with us, or with two of our assistants."—These things are in the aforesaid decree.

For which intolerable wrongs and oppressions, and many other indignities which we have endured, these two years' space and more, and for that, likewise, we do not know whether your reverence hath any authority at all to make decrees, seeing no such faculty appeareth in the constitutive letter,—

In the name of God, Amen: In the year of our Lord, 1600, thirteenth indiction, the 17th day of the month of November, and in the ninth year of the papacy of our most holy father Clement, by the providence of God the eighth of that name, We, English priests, whose names are underwritten, finding ourselves aggrieved in the premises, and fearing more grievous oppressions in time to come, do make our appeal and

provocation to the see apostolic, and ask of you, Master George Blackwell, the first, second, and third time, instantly, more instantly, and most instantly, our apostles, or dimissory letters, submitting ourselves, and all we have, persons, faculties, goods, and rights, to the tuition, protection, and defence of our most holy father Clement the eighth, and to the see apostolic. And we make this our appeal in our own names, and in the names both of the clergy and laity; of which latter there are many hundreds, whose names, for just causes, are concealed, that adhere unto us by means of the controversy of schism, or in any of the aforesaid matters, or dependence, or prosecution thereof, or after any other sort; desiring, if there be any thing to be added, taken away, or changed, for the more validity of these presents, that the same may be added, taken away, or changed, as the form of law shall require.

Given at Wisbeach, the year and day of the month, indiction, and the year of the papacy as above.

Thomas Bluet.	Francis Montfort.
Christopher Bagshaw.	Anthony Hebourne.
Christopher Thules.	Anthony Champney.
James Taylor.	John Bingley.
John Thules.	John Boswell.
Edmund Calverley.	Robert Thules.
William Cox.	Cuthbert Trollop.
James Cope.	Robert Benson.
John Colleton.	Richard Button.
George Potter.	Francis Foster.
John Mush.	Edward Bennet.
William Watson.	John Bennet.
William Clark.	William Mush.
John Clinch.	Doctor Norris.
Oswald Needham.	Roger Cadwallader.
Roger Strickland.	Jasper Lobery.
Robert Drury.	

[Three months later, Blackwell placed the following paper in the hands of a Mr. Jackson, by whom it was shewn to Colleton.]

*** *Blackwell's further censure of Colleton. Feb.* 21, 1601.

[Just Defence, 190.]

Because master John Colleton, not only for those former letters, prefixed before the pretended Appeal (which may truer bear the title of an infamous libel), whereunto himself doth acknowledge to have given his consent, but also in respect of his letters lately sent, the 29th of January, not unlike to these later [former] which came from Wis-

beach, hath fallen into the same penalties,[1] him likewise we declare to have incurred the like censures and penalties (namely, suspension, interdict, and the loss of all faculties), which we by these presents do impose upon him. Which truly we ought necessarily to have done, though it had been but for this only cause, that master doctor George Trensham (whom the framers of that libel call by the name of Potter), James Cope, and Richard Button, partly by their own handwriting and oath, and partly, as we have heard, by serious protestations, do deny ever to have given their consent to those letters: the blame of which fraud we truly know not to whom we should rather impute, than to Mr. Colleton, who sent us the letters.

Colleton to Blackwell, in reply to the preceding. March 10, 1600-1.

[Copy formerly in Douay College.]

Sir,—

M. Jackson hath shewed me the writing, that Master N. delivered him from you. These are (as much as I may, without prejudice to my appeal) to request you, first, to give me to understand, by what authority you interdicted me; in respect, that neither the letters patent, nor his holiness's brief, nor any addition, that I ever heard of, give you any shew of the like jurisdiction: Secondly, if you have more authority than the constitutive letter, the additions, instructions, and the brief import, yet to vouchsafe to let me know the ground and warrantize you proceed upon, in suspending, and declaring me to be interdicted, without citing me before: Thirdly, that, being the imposer of these heavy censures, you would not refuse to acquaint me, by what law or right you can (having admitted my appeal) take this severe course, so infinitely both to my own hurt, and to the temporal and spiritual damage of many others: Fourthly, to instruct me, by what rule of conscience you charge me with fraud, and so grievously punish me for the same; making it a cause of inflicting the censures, for that three names were put in the appeal, which the parties themselves, whose names they were, do now deny to have yielded their consents thereunto; wherein I am as free, be it true, or be it otherwise, from all fault (the setting down of their names being no act of mine) as yourself, or any man in the world.[2] You say, because I sent you the appeal. A weaker colour could not be set out. I expect a better reason; or else, I must think the injury to be most great. That Mr. Trensham was put down in

[1] [Some other person seems to have been censured in a preceding part of the paper.—*T.*]

[2] [The parties, here alluded to, afterwards "renewed and sent their several appeals to Master Blackwell."—Just Defence, 183.—*T.*]

the appeal by the name of Potter (this being the name, whereby he was usually called both in Rome and Wisbeach, and taken to be his right name) is so light an error, as, amongst the wise, not [to be] worth the reckoning of. I desire to receive your answer and satisfaction to these; and in writing, as you delivered my rebukes. Or, if you mean not to deal so charitably with me, I would by these advertise you, that there is small reason, why I should make scruple to serve God in wonted manner. Our Lord forgive you, and father Garnet, if his advice be to these afflictions; as, without his advice, one of the instructions directeth you not to do any thing of weight.[1] I leave; not mistrusting but, when the extremities are truly known, a good part of Christendom will cry shame upon the injustice and measure. March 10, 1600, when I received your's.

Your Reverence's

John Colleton.

No. XXXI.—*(Referred to at page 54.)*

*** *Bluet to Mush. July* 1, 1601.

[Briefe Apologie, 210.]

What you do abroad, or what you think, I do not know; for I know not how to write unto you. I spare not my body, nor my purse, in following this matter, &c. These fourteen weeks, I have spent £12; and in dividends I have not received seven shillings. *Sed non in hoc justificatus sum.* The case standeth thus:—I have, by opening the cause unto their honours and to Cæsar (*the queen*), obtained that four principal men shall be banished, after a sort, to follow the appeal,—doctors Bagshawe, Bluet, Champney, and Barnaby, all prisoners. They shall be here with me on Wednesday next. A month they shall have, within the realm, of liberty, to ride abroad for money amongst their friends, and then choose their port, to be gone with some countenance. I hope no man will be offended with this plot of mine, but with their

[1] [The following passage from a letter written by Garnet to Persons, in June, 1598, relative to these "Instructions," embodies some curious facts:—

"The article, which was omitted in the first copy of the instructions, shall be added. But yet, I would you had considered that it toucheth nobody but myself: so that herein there will be matter of some triumph unto such as chiefly sought to have our faculties abridged: for there was never any secular that had authority to subdelegate, but Mr. Mush; and that expired by cardinal Allen's death. *By this also I have lost the chiefest means that I had, to win the favour of good honest priests:* but, if it may not be continued, or renewed, that which by the see apostolic was so long since granted, I hope yet that we shall all gain, *for our particular*, encrease of faculties, the copy whereof I expect. *And verily, it will be no small prejudice to the common necessities, when none can communicate, but the archpresbyter alone, who cannot so easily be met withal.*" Stonyh. MSS. Ang. A. ii. 37.—*T.*]

purses assist us. It hath cost me many a sweat, and many bitter tears, ere I could effect it. I have, in some sort, pacified the wrath of our prince conceived against us, and of her council, and have laid the fault where it ought to be, and proved that the secular priests are innocent, for the most part, &c. Be cheerful and hope well *in spe contra spem ;* and keep this secret to yourself. I have made M. Watson's peace, if he will himself. When I come down, I will tell you more. You are well thought of, &c. Pridie visitationis B. V. Mariæ, 1601.[1]

Yours,

Thomas Bluet.

No. XXXII.—(*Referred to at page* 54.)

*** ——— *to Blackwell. Sept.* 16, 1601.

[Copy, apparently in Garnet's hand, Stonyhurst MSS. Ang. A. iii. 3.]

Good Sir,

With the remembrance of my humble duty, it may like you to give

[1] [I print this letter as it is given by Persons in his Briefe Apologie; and, as far as it concerns the particular point for which I have cited it, it is sufficient. It is right, however, to remark, that it is confessedly only an extract; that there is an omission at each of the places marked by an "&c."; and that, as Persons has inserted it, for the express purpose of attacking Bluet, it is not improbable that only so much is given as seemed best qualified to answer this purpose. Persons, in fact, was never scrupulous in his mode of dealing with these papers. Three instances of his infidelity the reader has already seen (pp. lix. lxxv. cv.), a fourth, not less remarkable than the others, at this moment occurs to me. With a view to set forth the importance of his own services in the pacification of the Roman college, he prints, among other documents, a portion of a letter, addressed to him by the general of the society, only a few days before matters were arranged with the students. In it, Aquaviva looks forward to a speedy termination of all differences; tells Persons that, in appeasing the tumults, and reforming the disorders, of the college, he will have all the merit of a second founder; and then concludes, so Persons at least assures us, with the following invitation to Naples. "This lord viceroy desireth much to see you here shortly; and I have committed the matter to your own consideration for the time, what will be most convenient" (Briefe Apol. 58). To avoid the possibility of doubt or mistake, a marginal note is affixed to this passage; and we are there distinctly informed that the viceroy alluded to is "the Counte Olyvares." Now, the original of the letter here cited, which is in Spanish, is at this moment before me: and will the reader believe that it not only does not contain the passage in question, but that it makes not the most distant allusion to anything of the kind: that neither the viceroy, nor any other person whatsoever, is mentioned; and that what is here represented as the anxiety of a great man to see him, is, in reality, nothing more than the expression of a hope on the part of the writer, that he (Persons) will continue to employ his piety and prudence in the affair with which he is entrusted, that he will see every necessity as it arises, and will apply such remedies, at such time, and in such manner, as shall be most conducive to the great object in view?—I subjoin the words of the original. "No tengo que decir en este particular, sino esperar que vuestra reverencia, con su religion y prudencia yra viendo todos los particulares, y applicando los remedios quales, quando, y como converna." (Original in my possession).—As almost all the worst charges against the appellants rest originally on the authority of Persons, it is necessary to point out these things.—*T.*]

me leave shortly to advertise you of some particulars, whereof I am informed.

This day, the sixteenth of this present, our ambassadors for Rome depart, if Mr. Colleton's scribe can make an end of such things as he is in copying out, because they are to have them with them: otherwise, they stay till to-morrow, or the next day, that they be done. The matters he is in copying are, for the most part, letters written by some of the society, namely, that which was written by one of them to the lady N., and such like matters of that sort. The men, that go at the present, are Mush, Champney, and Barnaby. These are to stay in France till the rest do come to them, which are Bagshawe and Bluet; but a doubt is made of Bluet's going; at the least, of his passage any further than France, in regard of his age. They have received comfortable letters of late (as some of them have uttered): but I cannot learn from what place. This day Bagshawe is expected to come to the town, if he came not yesternight.

They are very well moneyed, as I hear, to the value of almost 1,000*l.*, whereof well near 400*l.* of the money was made of gold chains and other jewels exchanged. This I learn of one, through whose hands much of it did pass.

They are fully bent to uphold the matters they have printed, and to prosecute the course they have begun, by all the means and friends they can make; and will aggravate all things to the uttermost. I hear that yourself, father Walley,[1] father Gerard, and father Lister are the persons they chiefly enquire after: and it is told me that Barrowes, now at his return, hath brought letters to you all four, and a pair of beads of straw in particular to father Gerard, from a religious woman at St. Omer's.

Watson keepeth most at Putney, under the bishop's elbow, by whose appointment he is placed there. He is now in penning of certain articles against the jesuits, together with a large preface and discourse upon the same, which, as is intended, shall shortly be printed. There was a consultation, not many days past, of eight of them met together by appointment, whereof Watson was one.

These things I could not hear, but that I thought it my part to advertise you of it. And I wish that father Walley also may have notice of their intentions: and God grant that their endeavours may be so encountered, that they may receive a just rebuke for their tumultuous dealings.

Thus with my humble commendations, I take my leave, beseeching

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[1] Garnet.

Almighty God to prosper you and protect you. This 16th of September, 1601. Humbly yours in all obedience.

No. XXXIII.—(*Referred to at page* 54.)

Breve Clementis VIII. Papæ pro tollendis dissidiis Anglicanis, circa Georgium Blackwellum Archipresbyterum. Aug. 17, 1601.

[MS. in possession of the dean and chapter]

Dilectis filiis magistro Georgio Blackwello, nostro et sedis apostolicæ notario, regni Angliæ archipresbytero, cæterisque ejus regni presbyteris, clericis, et populo catholico universo.

Clemens Papa VIII.

Dilecti filii, salutem et apostolicam benedictionem. Cum nobilissimum Angliæ regnum, quod olim studio sinceræ pietatis, et catholicæ fidei cultu maximè floruit, à multis annis, pravis hæresum erroribus infectum, et a catholicæ ecclesiæ unitate, ac Romani pontificis, Christi in terris vicarii, obedientiâ sejunctum fuerit, facere non potuimus, quin, gravissimæ hujus jacturæ causâ, intimo sensu cordis et magno animi dolore semper afficeremur. Non mediocri tamen lætitiâ perfusi posteà sumus, quòd intelligeremus, orthodoxam religionem in eodem regno paulatim reviviscere, et aliquos fideles presbyteros, strenuos verbi Dei ministros, potestates mundi hujus non timentes, ac Deo potiùs, quàm hominibus obedire cupientes, ibi diligentem navare operam, non solùm ut catholici, qui residui sunt, in fide conserventur, sed etiam, qui à recto veritatis tramite recesserunt, ipsorum ductu et exemplo in viam salutis redeant, et fidem Romanæ ecclesiæ, illiusque obedientiam amplectantur. Nuper verò, ingenti gaudio fuimus affecti, quòd, Deo nostra bonorumque omnium vota adjuvante, catholicæ religionis cultores in tantum numerum excrevisse audiremus, ut diutiùs sine rectore animarum esse non possent, sed superiore aliquo spirituali indigerent, qui eam multitudinem in Domino regeret, atque ad optatum æternæ felicitatis portum traduceret. Habitâ igitur jam à biennio super hac re maturâ deliberatione, bonæ memoriæ Henrico titulo sanctæ Pudentianæ presbytero cardinali, Caietano nuncupato, nationis Anglorum protectori, commisimus, ut virum aliquem probum qui hoc onus, ad communem catholicorum utilitatem, posset sustinere, deligeret; eumque archipresbyterum ejusdem regni Angliæ, authoritate nostrâ, constitueret. Qui Henricus cardinalis protector, multorum relatione, et famâ probitatis ac prudentiæ tuæ, fili archipresbyter, adductus, te in universo Angliæ regno archipresbyterum eâdem authoritate deputavit, omnibusque ibidem fidelibus catholicis præfecit, cum nonnullis declarationibus, privilegiis, indultis, instructionibus, facultatibus, tibi attributis, prout in ejusdem Henrici cardinalis protectoris literis latiùs continetur.

Et licèt hæc archipresbyteri in eo regno institutio, quæ prima fuit post cultum catholicum ibi per hæresim dissipatum, multorum approbatione et gaudio accepta fuerit, qui se tuis mandatis libenter obtemperaturos dixerunt, nonnullos tamen reluctari cœpisse audivimus : Primò quidem, eo prætextu, quòd cuperent voluntatem nostram per literas apostolicas, aut aliàs certiùs sibi innotescere : deinde, quòd eorum aliqui ejusdem Henrici cardinalis protectoris literas in dubium vocare non dubitaverint. Quâ in contentione atque animorum discrepantiâ, multa inter eos qui fidem literis dicti Henrici cardinalis protectoris adhibendam, tibique obtemperandum esse statuerant, et illos qui authoritati tuæ subjicere se recusarunt, mutuâ cum offensione, acerbè dicta factaque esse, non sine animi nostri molestiâ accepimus. Atque imprimis, adversus eos qui tibi obedire recusabant, tractatum quendam de schismate editum fuisse intelleximus, in quo multa de obedientiâ Romano Pontifici denegatâ, de fide et authoritate humanâ contemptâ, de schismate et rebellione, ac de excommunicationis et irregularitatis incursu, aliisque multis, contra eos scripta et divulgata fuerunt. Quare, cùm gravis admodum in eorundem animis agitatio commota esset, tùm vero longè major indignatio suboriri cœpit, quòd tu, certis causis adductus, rogantibus illis ut eum tractatum revocares, per literas tuas respondisti, medecinam non priùs amovendam esse, quàm ulcus persanaretur. Cùmque hisce tuis, ac privatis aliorum literis, iidem inobedientiæ et schismatis insimularentur, ac ne ii quidem ab injuriis in alios inferendis temperarent, acrior inter eos dissensio visa fuit excitari. Quare nos, ad tollendam hanc omnem discordiam, literas nostras in formâ brevis ad te, fili archipresbyter, misimus ; quibus, literarum prædicti Henrici cardinalis protectoris tenorem pro expresso habentes, ejus de tuâ personâ electionem, et in dicti regni archipresbyterum constitutionem, cum omnibus privilegiis, indultis, instructionibus, declarationibus, et facultatibus, tibi per dictum Henricum cardinalem protectorem concessis, authoritate apostolicâ approbavimus et confirmavimus. Quæ nostræ literæ simul atque promulgatæ ad vestram, filii presbyteri, notitiam devenerunt, omnem illicò sedatam fuisse discordiam, et summam pacem, reconciliatâ inter vos gratiâ, depositisque odiis et simultatibus, initam fuisse, magno nostro cum gaudio cognovimus. At verò, quia nonnullorum animis adhuc hærebat offensio quædam, quòd illi, qui primò tibi, fili archipresbyter, obtemperare recusaverant, schismatici à quibusdam esse censerentur, eâque de re satisfactionem aliquam sibi fieri postularent, tu, iisdem causis adductus, constitutæ authoritatis detractores videri tibi schismaticos fuisse, respondisti (quod dolentes referimus), et ideo consilium judiciumque tuum fuisse, ut ipsi aliquam ejus rei rationem priùs haberent, ac satisfactionem facerent, quàm absolutionis beneficium acciperent. Quæ

res simul atque proposita fuit, subitò, quasi novo inflicto vulnere, illa omnia, quæ jam consanuisse videbantur, recrudescere cœperunt; pristinæque dissensiones et discordiæ renovatæ sunt: quòd, videlicet, illi neque schismaticos se fuisse, neque tales se haberi aut existimari, velle dicerent. In quo dissidio, licèt aliqua edicta à te facta essent, ea tamen illorum animos magis irritarunt. Quamobrem ii ad nos, et ad sedem apostolicam appellarunt; nosque eorum appellationem, nonnullas causas et brevem quandam rei gestæ relationem continentem, aliquorum presbyterorum manibus subscriptam, vidimus atque perlegimus. Cæterùm, his omnibus visis atque consideratis, facilè primò advertimus, omnem hanc dissensionum procellam à patre discordiarum diabolo esse suscitatam, qui, cùm eo in regno salutem animarum omni studio conetur impedire, nullam viam faciliorem sibi putat, quàm si intestina inter presbyteros catholicos, ad eam promovendam ibi constitutos, odia dissensionesque excitet ac foveat; ut, dum privatis contentionibus intenti sunt, communem animarum procurationem negligant. Quocircà, ut his incommodis ac malis, pro nostrâ pastorali solicitudine, et paternâ in regnum istud charitate, consulamus, literarum tàm dicti Henrici cardinalis protectoris, quàm nostrarum supradictarum tenores præsentibus pro insertis habentes, te imprimis in tuâ dignitate, et officio archipresbyteri, in eodem Angliæ regno, cum facultatibus per alias nostras literas tibi attributis, eâdem authoritate apostolicâ tenore præsentium confirmamus, et, quatenùs opus sit, de novo præficimus; necnon ea, quæ per dictas literas tibi attributa fuerunt, sine ullâ contradictione exercere posse, ac debere, volumus et declaramus: quanquam hoc etiam te meminisse convenit, totam hanc authoritatem ad animarum ædificationem, non ad destructionem, à nobis tibi esse concessam, teque non modò omnium, qui ibidem sunt, catholicorum spiritualem superiorem, sed etiam patrem, esse, eorumque curam ita gerere oportere, ut pascas eum, qui sub te est, gregem Domini; providens, non coactè, sed spontaneè, secundum Deum, nec dominans in clero, sed forma factus gregis ex animo; ut, cùm apparuerit princeps pastorum, percipias immarcessibilem gloriæ coronam. Omnium itaque salutem, pacem, et animorum tranquillitatem debes procurare; quod non difficile tibi fore putamus, si pari omnes facilitate paternâque charitate complectaris, neque te hisce magis quàm istis propensum esse demonstres. Is enim, qui in ecclesiasticâ dignitate cæteris præest, et omnibus prodesse cupit, in hoc maximè eniti debet, ut summis virtutibus et singulari charitate reliquis antecellat, spectatâ prudentiâ, ad alios regendos necessariâ, et patientiâ, Christiano homine ac præsule dignâ, præditus existat. Sit verus omnium pater, æquus judex, pastor bonus, qui animam suam, exemplo Christi Domini, ponat pro ovibus suis.

Atque ideo etiam te monemus, ut, in hoc delato tibi regimine severitati mansuetudinem admiscens, munus tuum et fortiter et suaviter exequaris; ne scilicèt aut hi benignitate tuâ abutantur, aut isti à te tuâ severitate avertantur: disciplina enim et misericordia multum destituitur, si una sine alterâ teneatur. Præterea non priùs verbo aut scripto quemquam damnes, quàm re maturè deliberatâ, atque compertâ; fidelium verò tibi subditorum libellos famosos in vulgus edi minimè patiaris: omnem demum subortam inimicitiarum et contentionum segetem, antequam altiùs crescat, celeri manu præcides; ne, qui mutuis altercationibus atque dissidiis vacant, graviora mala non præcaventes, in deterius miserè prolabantur.

At verò vos, filii presbyteri, qui libenter institutum à nobis archipresbyterum suscepistis, valdè in Domino commendamus, et vehementèr exhortamur, ut ea, quæ ad initam pacem conservandam pertinent, sedulò procuretis. Cæterùm, quia non licet Christianæ humilitatis et obedientiæ fines transilire, vos etiam monendos esse duximus, ne in vestris bonis operibus vobis plus æquo arrogare velitis, neque ullos damnare aut contemnere præsumatis: precipuè verò, ne obloquentes aliis exprobretis, neve scripto aut verbo quenquam offendatis; lingua enim universitas iniquitatis, instar ignis urentis, corpus animumque inflammat, et odia provocat. Verùm, si quis adversus fratrem suum aliquid habuerit, corripiat eum secretò in charitate, et spiritu mansuetudinis, ut eum lucretur. Quòd si ille ejusmodi monitioni non acquiescat, tum demùm ecclesiæ dicat, cujus est examinare, et quod justum est judicare. Unusquisque verò vestrûm in summâ lenitate, et charitate non fictâ, muneri et officio suo diligenter incumbat. Neminem irritet, neminem verbis provocet. Quòd si æmulationem Dei habetis, videte, ut secundùm scientiam habeatis. Nunc autem ambulate in sapientiâ, non quæ terrena est, sed quæ desursum est, quæ pacifica est, modesta, plena misericordiâ et fructibus bonis, non judicans, sine simulatione. Denique diligite alterutrum; omnis enim lex in hoc sermone impletur, *diliges proximum tuum sicut teipsum.* Quòd si invicem mordetis et comeditis, videte ne ab invicem consumamini. Quare iterum vos hortamur, ut spiritu ambuletis: fructus autem Spiritûs est charitas, gaudium, pax, patientia, et benignitas.

Vos autem, filii presbyteri, qui archipresbytero, superiori vestro, obedire neglexistis, quid causæ habuistis, cur prædicti Henrici cardinalis protectoris literis fidem non haberetis? Sanè vestro superiori vos submittere, atque ei obedire debebatis. Quare vos paternè monemus, et toto animi nostri affectu hortamur, ut omni memoriâ discordiarum perpetuâ oblivione deletâ, simultatibusque depositis, in veram et sinceram amicitiam redeatis, et omnia libenter pro Christo, cujus causam

agitis, invicem condonetis. Nos enim nihil à quoquam vestrûm, hac in causâ, ulteriùs requiri debere decernimus; et propterea vobis, et aliis quibuscunque vestræ nationis, super præmissis omnibus et singulis, perpetuum silentium imponimus. Vestræ autem appellationi minimè deferendum duximus: communem enim unionem et concordiam, non vestram dissensionem, desideramus; quam, si eidem appellationi detulissemus, magis augeri posse existimavimus. Ut verò totius discordiæ fomes è medio tollatur, tractatum illum de schismate, scriptaque omnia hac occasione edita, ex quibus odium dissidiumve rursùs excitari posset, authoritate apostolicâ supprimimus; atque ut illa, aliave ejusmodi ad hanc rem spectantia, nullo unquam tempore conscribantur, divulgentur, aut retineantur, seu conscribi, divulgari, aut retineri ab aliquo consentiatur, sub excommunicationis, ipso facto incurrendæ, pœna, per præsentes vobis, fili archipresbyter et presbyteri universi, præcipimus et mandamus; ac nomen schismatis, hac de causâ, inter vos penitùs extinguimus et abolemus; et ne ullam ampliùs illius mentionem faciatis, vobis sub iisdem pœnis interdicimus et prohibemus. Præterea, vos omnes ejusdem regni presbyteros per viscera Domini nostri Jesu Christi obsecramus, ut id ipsum dicatis omnes, et sitis perfecti in eodem sensu, et removentes omnem dissensionem; cum omni humilitate, mansuetudine, et patientiâ supportantes invicem in charitate: soliciti servare unitatem spiritûs in vinculo pacis: contentiones verò, æmulationes, animositates, detractiones, neque sint inter vos, neque ullo modo nominentur. Verùm si diligentèr propriæ vitæ institutum attendatis, speramus fore, ut in concordiam facilè redeatis. Nonne animas vestras tradidistis in ministerium evangelii pacis? Unde igitur dissentiones inter vos, qui pacem prædicatis? Nonne multos quotidie Christo lucrifacere studetis, in laboribus plurimis, in fame et siti, in periculis, in persecutionibus? Ac vosmetipsos ad carceres, ad cruces, ad mortem denique pro nomine Domini nostri Jesu Christi comparatis? Cur igitur invicem non suffertis, qui tanta perferre parati estis? Verùm hæc summa est fallacis diaboli astutia, quâ vos non apertis armis oppugnat, sed occultis inimicitiarum insidiis à mutuâ charitate conatur separare; ut qui conjunctis animis ecclesiam Christi ædificare debetis, divisi in vestram et aliorum perniciem magno cum dedecore ruatis. Sed nolite locum dare diabolo; verùm idem sapite: pacem habete ad invicem: omnia denique facite sine murmurationibus et hæsitaionibus, ut sitis sine querelâ, et simplices filii Dei, sine reprehensione in medio nationis pravæ et perversæ. Obedite igitur omnes unanimiter præpositis vestris, humiliantes animas vestras sub potenti manu Dei, ut vos exaltet in tempore visitationis. Omnes honorate; omnes invicem humilitatem insinuate; fraternitatem diligite. Verùm, si forte laicorum

aliqui istius regni Angliæ, ad quos harum rerum notitia pervenit, ex hac ecclesiasticorum dissentione offensi fuerint, nos eosdem pariter in Domino hortamur, ne id sibi scandalo sumant, aut ob eam causam aliquid debitæ religiosis et sacerdotibus reverentiæ detrahant, vel à procurandâ catholicæ fidei propagatione retardentur: sed, animadvertentes omnem hanc contentionis originem et progressionem à communi humani generis hoste factam esse, religiosos omnes et sacerdotes debito honore prosequantur; et in amplificandæ catholicæ religionis studio magis accendantur. Fides enim nostra super firmam petram ædificata est, adversus quam portæ inferi prævalere nunquam poterunt; et religio catholica rebus adversis crescere, et positis impedimentis dilatari, consuevit. Volumus autem ut præsentium nostrarum literarum exemplaria, etiam impressa, manuque notarii publici, et sigillo prælati ecclesiastici, aut illius curiæ obsignata, eandem ubique locorum fidem faciant, quam ipsæ præsentes facerent, si essent exhibitæ vel ostensæ. Dat. Romæ apud S. Marcum, sub annulo piscatoris, die 17 Augusti, 1601, pontificatûs nostri anno decimo.

M. Vestrius Barbianus.

No. XXXIV.—(*Referred to at page 55.*)

*** *The Appellants in Rome, to their Brethren in England. March* 4, 1602.

[Copy in my possession. Directed to Mr. Edward Bennett.]

The great desire we have of your welfare in all things will not permit us to have any comfort, without making you partakers thereof. To satisfy, therefore, that longing expectation which we know is in you, to hear something both of our estates and the terms of that business, wherein we are employed by you, we thought good to address unto you these few lines, joining you all in one, for saving of time and labour, and also to signify that our desire is, that all our brethren shall be partakers thereof. To omit, therefore, all superfluous compliments, and to come to the purpose,—

We do you to understand that the 16th of February, *stilo novo*, we all arrived at Rome, in good health (God be thanked); our journey having been more prosperous, than we could have expected at this time of the year. Before we came, our adversaries gave out that we durst not come;[1] and, since our coming, they have laboured to prevent us with all those, with whom they think we shall have to do. Their accusations are such, for the most part, as, by our very coming, are satisfied. It is a world to see how they bestir themselves, and what reports they

[1] ["But, as we persuade ourselves, they mean not to go thither; having done, said, and written, as they have." Persons's Manifestation, 69a.—*T.*]

give out of us. We, in the mean time, are quiet and silent; which course is approved best by all our friends: and our adversaries do themselves small good, and us no harm, by their scandalous manner of proceeding. We have not as yet spoken with any one of our opposite friends, nor intend to do, but by the way of civil salutations.

We have, by God's providence, and the favour of the christian king, found here such friends, as (God willing) we shall not need to fear the power of our adversaries. This day, after dinner, we are (God willing) to have audience of his holiness, who hath promised to hear our cause at large; which, being the thing that we have all so long desired, is no small comfort unto us, nor no small hope will be to you.

This is all we can say, for the present, concerning the estate of our affairs: hereafter, as things succeed, we shall not be unmindful to let you understand. In the mean time, whilst we are in the fight, hold up your hands to the Almighty God, and pray that truth, equity, and justice may have the upper hand, of whose side soever it be. And when our business is a little over-passed, we shall (God willing) not be forgetful of you, in these holy places, where we know you all desire to be remembered.

Here is objected unto us the printing of certain books, containing heresy and evil sounding propositions: they are said to be divulged in the name of the secular priests. Our answer is, and most truly, that we neither knew nor consented to the printing of any such. If any of our brethren, therefore, have committed any such error, it is necessary that he acknowledge it, and satisfy for it.[1]

There is a book printed by our adversaries, which is titled "An Apology of the Hierarchy instituted by his holiness," or to this effect.[2]

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[1] [The books here particularly alluded to, are the "Important Considerations," and the "Quodlibets," both published by Watson, in this and the preceding year.—*T.*]

[2] [This book, as the reader is aware, was written by Persons, though, to further his own views, he attributed it, in the title-page, to the "priests united in due subordination to the archpriest." I have elsewhere remarked (page 54, ante), that the breve, signed on the 17th of August, 1601, and immediately transmitted to Blackwell, was, by that functionary, suppressed until the end of the following January. There is reason to believe that the cause of this strange proceeding may be discovered in the present work. The breve forbad all future publications on the subject of the late controversy. Persons knew this: but he was, at the very moment, engaged in writing the Apology; and not only Colleton, in his "Just Defence" (pref. 1, 2), but also Dr. Ely (Brief Notes, pref. 4), and others assure us, that he instructed Blackwell to withhold the breve, until such time as the Apology should have appeared. The latter was published, with Blackwell's permission, at the beginning of the new year; the former on the twenty-sixth of January. Colleton immediately replied to the Apology by his "Just Defence;" and Persons, on the ground that Colleton had violated the prohibition of the breve, forthwith denounced both the writer

In it, under the name of the obedient priests, are answered the two books; that to the pope, and that of Letters and Discourses.[1] We have not seen the book itself, which is in English, but an epitome of it, which they have printed in Latin. In it they say there was never any such thing in cardinal Bellarmine's letter from Ferrara, as that father Persons need not come thither.[2] I pray you send us the copy of the letter, if you have it, with some testimony that it accordeth with that, which was shewed in England for his. * * * Very many other things they deny; which maketh us wonder at their impudency, seeing they know them to be most true.

To conclude, here is with us Mr. Dr. Cecil, who saluteth you all in kindness, and best manner. He hath undertaken this journey at his own charges, for the greatest part. His endeavours hitherto have been, and we doubt not but hereafter will be, such as will give contentment and satisfaction even to those, who have been most jealous of him. We hear that you have sent us some supply of money, for which we thank you. It is not as yet come to our hands, but is like to make some stay in the way; yet in good time we shall have it, as we hope. If that ointment fail not, we fear not the good success of our business; for, if we be able to stay it out, there is no doubt that equity will prevail. And thus with our heartiest commendations to you all in general, and every one in particular, we desire to be remembered to all our children and friends. We cease. From Rome, this 4th of March, *stilo novo*, 1602.

Your loving brethren,

Anthony Champney
Jo. M.
&c.

We pray you send us a copy of father Southwell's Supplication to the Queen.

*** *Mush to Mr. Edward Farrington (Bennet). March* 31, 1602.

[Original in my possession.]

Good Sir,—

I received yours of the 22d. of December, about the last of February,

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and his work to the pope. Stonyh. MSS. Ang. A. iii. 21. It is Persons's rough draft.—*T.*]

[1] [The former of these was Mush's "Declaratio Motuum:" the latter bore the title which is here given to it, and contained, besides an address to the reader, two discourses on the insufficiency of cardinal Cajetan's first letter to Blackwell, a treatise by Champney on the same subject, a letter from Persons to Bishop in defence of his conduct towards that envoy and his companion Charnock, and lastly a commentary or censure on this letter, together with Bishop's own reply to it.—*T.*]

[2] [Apologie, p. 91:—but see page 50, ante, of this volume.—*T.*]

in Rome. . . . . We are safe under the protection of the king of France; otherwise we had been fast at the first. Persons is very badly disposed, and strongly backed by his society and the Spanish; yet, I hope we put him to his trumps. He hath defamed us with pope, cardinals, and all the town: but his credit weareth out apace, and he becometh to be thought a very Machiavelian, and not worthy of credit in any thing he raileth against us.[1] Yet none list to displease him. We have no dealing with him, nor he can entreat us to come at the college; which grieveth him much. Thomas Hesket, Haddock, Baines, Thomas Fitzherbert, and one Sweet are his mercenarii, to deal against us, and

[1] [Sincerely as we must condemn the asperity of this writer's language, there is, unfortunately, too much reason to acknowledge the truth of his present statement. Of the conduct of Persons towards the appellants the reader will find some specimens in the following papers: but, to comprehend the full force of the bitter and unscrupulous animosity with which he pursued them, it is necessary to turn for a moment to a memorial written by him, about this time, and still preserved at Rome. It is drawn up professedly for the information of the pope and cardinals, and is entitled "An account of the morals of some of the principal appellants." After a pathetic declaration of the unwillingness, with which he enters on so painful a topic, the writer proceeds to state the reasons that have induced him to sacrifice his feelings to the public good; calls God to witness that he has no enmity to gratify, no intention to injure the unfortunate subjects of his address; and then at once passes to the immediate object in view, the lives and characters of his principal opponents. The parties here noticed are Cecil, Bagshawe, Bluet, Watson, Clark, Colleton, Charnock, Calverley, Potter, Mush, and Champney. Among these, however, the first place in infamy is assigned to the present deputies of the appellants. Cecil is a swindler, a forger, a spy, the friend of heretics and persecutors, and the betrayer of his own brethren. Bagshawe is a sower of sedition, an expelled and degraded student of the Roman college, a man of suspected faith and unchaste living, the author of the opposition to Blackwell, and the corresponding agent, at the present moment, between the appellants and the English government. Bluet's qualifications are of a different order. A drunkard and a brawler, he has, at one time, hurled a priest down stairs, and, at another, fallen intoxicated into the Thames: in one instance he has been prevented from murdering a fellow prisoner only by the interference of his companions, and, in another, has attempted, but in vain, to administer the sacraments, whilst reeking and staggering from the effects of a drunken debauch. Champney and Mush, though treated with less virulence than their companions, do not entirely escape. Both, says the writer, have been candidates for admission into the society, and both have been rejected, on account of their impracticable tempers. Hence the enmity of each to the fathers; and hence Mush, in particular, yielding to the suggestions of an impetuous and resentful disposition, has been led to join with the heretics against his brethren, and to assist in writing those books, which have at once defamed the society, and scandalized every orthodox catholic (MS. in my possession, copied from the original in Persons's handwriting, under the inspection of the late Rt. Rev. Dr. Gradwell). Such is a brief outline of the principal parts of this extraordinary document. That it justifies the assertions of Mush and the other deputies, there can be no doubt: that its charges were deemed "unworthy of credit," we want no better proof, than that they were suffered to pass unnoticed by the pope (Letter from Deputies, copied by Dr. Gradwell, MS. vol. in my possession, p. 169). The reader, however, will presently see some of Persons's own acknowledgments on the subject.—*T.*]

spread calumnies. He and they charge us with heretical propositions, contained in certain English books, set out since we came, they say, by Mr. Watson. These we must answer, when father Persons hath set them down in writing; for so we desired of his holiness that he might do.[1] We have had audience. The pope told us what he had been informed against us, and granted us cardinals Burghesius and Arrigone to hear all, and relate to him. We now are in hand with the controversy, which cardinal Burghesius assures us will be declared for us, shortly after this holy time. We hear that father Persons writeth many lies abroad; but trust nothing, unless you hear it from us. We hope very well; for the French ambassador is a father to us. Our diet

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[1] [Persons, in consequence of this, drew up a list of fourteen printed works, to be censured by the congregation of cardinals. Besides the two books already mentioned (p. clv.), this list contained the following:—

1. Declaratio motuum ac turbarum, &c., ad S.D.N. Clementem VIII. exhibita, by John Mush. Rouen, 1601.

2. Copies of certain Letters and Discourses. They have been described in a preceding note.

3. Relatio Compendiosa Turbarum quas Jesuitæ Angli concivere, &c., by Christopher Bagshawe. Rouen, 1601.

4. A sparing Discovery of the English Jesuits, lately imprinted. 1601.

5. Hope of Peace, by laying open such Doubts, and manifest Untruths, as are divulged by the archpriest. Francf. 1601.

6. A True Relation of the Faction begun at Wisbeach, &c. By Christopher Bagshawe. Newly imprinted, 1601.

7. A Dialogue betwixt a secular Priest and a lay Gentleman. Rheims, 1601.

8. An Answer to a Letter of a Jesuited Gentleman, by his Cousin. 1601.

9. Rationes redditæ pro impressione librorum, &c.

10, 11, 12. Three works, which Persons had not seen, with whose titles and contents he was unacquainted, but which, nevertheless, he here denounces to the congregation. "Tres alii commemorantur jam editi, sed nondum eos vidimus." MS. in my possession, copied from the original, in Persons's handwriting, at Rome, by the late Rt. Rev. Dr. Gradwell.

As a specimen of Persons's language towards his opponents, I subjoin the passage with which he elsewhere closes his remarks on the fourth of the preceding books:—"And here now the very multitude of these outrageous libels, with the immensity of hatred, hellish spirit, and poisonous entrails, discovered therein, do force us, against our former purpose, to cut off and stay all further passage and proceeding in this horrible puddle of lies, slanderous invectives, and devilish detraction; for that the very looking them over doth weary the heart of any true christian: and consequently, whereas, before, we had determined with ourselves to give you some tastes or examples out of them all, yet now, finding the multitude to be without end, and the quality so base, vile, and malicious, as the venom of any lost or loose tongue, armed with audacity, and defended with impudency, stirred up with envy, and enraged with fury, and bounded noways by any limits of conscience, piety, or fear of God, can vomit or cast out, to defame their brethren,—finding this, we say, we have thought good to cease here, without further stirring the loathsome rags of so filthy a dunghill" (Manifestation, 94). This was written and published, *after* the pope, by his breve of August, 1601, had expressly prohibited all such writings, under pain of excommunication, to be incurred *ipso facto*.—*T.*]

is ten crowns by month: other charges about four more. Our money waxeth low; and small hope to have relief here. Cardinal Burghesius hath often told me that the archpriest's opinion of schism and disobedience ever displeased the pope and cardinals; and putteth us in very good hope of the resolution shortly. Indeed, Persons's credit decayeth, and ours increaseth: the most he doth is by lying and deceit; and he beginneth to be spied on all hands. The great controversy between the jesuits and dominicans is hotly in hand now here. Will all our brethren to be of good comfort, and to stand fast together, and no doubt but we shall prevail, specially if you assist us with your daily prayers and otherwise, as every one can. Salute your brother John, your daughter, with all the rest. It goeth not well with me, that every day I must attend in courts, and yet profit little; for all goeth *piano, piano*, and friends do more than the equity of a cause. The cardinals will scarce believe us, when we tell them the last breve not to have been published in the beginning of January last. We hope shortly to have another, of better quality for those points in controversy. Jesu keep you. This 31st of March, 1602.

*** *Memorial against the Appellants, written by Persons, and presented in the name of the Archpriest's agents, April*, 1602.

[Rough Draft, in the handwriting of Persons. Stonyhurst MSS. Ang. A. iii. 11.]

Quandoquidem ea est jam Angliæ nostræ misera sub hæreticorum jugo conditio, ut neque prælatos catholicos, neque notarios publicos habent, quorum operâ et authoritate acta solemnia atque instrumenta authentica de rebus controversis confici possint, neque, etiamsi hæc adessent, liceat presbyteris catholicis per hæreticorum sævitiam unà convenire, ut de his tractent, ideo nos huc missi sumus, ut coram sanctitate vestrâ, communi omnium afflictorum patre, sincerè, ac conscientiâ teste, ac interveniente etiam jurejurando, referamus ac contestemur ea, quæ in hac causâ verè habentur: et licèt omnia juridicè, stantibus sic rebus nostris, probari non possint, ea tamen nobis adeo certò constant, ut pleraque, non nostro tantùm testimonio, sed manifestis etiam tum judiciis tum rationibus, ex communi catholicorum ferè omnium judicio atque estimatione, asserere non dubitemus.

Capita verò præcipua hæc sunt, quæ nos aliàs fusiùs, si opus fuerit, deducturi atque ostensuri sumus. Primùm, de præsenti Angliæ statu, qui cum hæreticos et catholicos complectatur, hii, a multis jam annis in sectas divisi, illud semper moliti sunt, ut catholicos etiam inter se committerent: quod jam etsi aliquousque per hos presbyteros, magnâ ipsorum lætitiâ, se consecutos existiment ac glorientur, non tamen, per Dei gratiam, ejusmodi est vulnus, quin facilè sanctitatis vestræ operâ

atque authoritate curari possit. Nam cùm nobilium ac laicorum universum planè corpus (quod maximum sanè est, quodque presbyteris omnibus tàm hospitia quàm alimenta cæteraque ad vitam necessaria subministret) penitùs se ab his tumultuantibus subtrahat (quippe quos quotidiana cum reginæ consiliariis, sibi suisque fortunis, honori, ac vitæ insidiantibus, commercia habere videt); cleri verò catholici multò maxima meliorque pars omninò eis adversetur; alii nonnulli, animis nonnihil dubii et plurimùm ab illis solicitati, finalem vestræ sanctitatis sententiam avidè expectent, perspicuum fit quàm non sit futurum vestræ sanctitati difficile has omnes turbas quamprimùm compescere.

Secundum caput est de ipsis inquietis, qui numero paucissimi sunt, si cum cæteris componantur: ita plerique illorum notissimis quibusdam vitiis insigniti sciuntur. Inter cætera verò magis eminent *ambitio*, *seditio*, et *vitæ dissolutio*, quæ præcipua horum omnium tumultuum fundamenta judicantur. Atque *ambitio* quidem manifesta in eo apparuit, quòd, nullo habito superiorum assensu, associationes quasdam in Angliâ instituere conati sunt, seque ipsarum prælatos constituere, eâque de re miras excitare turbas; quæ res omnibus est notissima, et multorum literis etiam publicis contestata.[1] *Seditio* verò indè constat, quòd, ex triginta appellantibus, quindecim saltem ex hoc collegio Anglorum de urbe extiterint, in eoque tumultuati fuerint, ut tàm ex visitatione illustrissimi cardinalis Sega, quàm ex collegii registro manifestum fit. Reliqui verò nihilò se meliùs in aliis collegiis gesserunt. *Dissolutio* demùm *vitæ* in nonnullis eorum manifestissimis argumentis ac testimoniis convincitur; imò causa præcipua fuisse præsumitur cur multi eorum adeò obstinatè superiori a vestrâ sanctitate constituto restiterunt, ne, scilicet, hæc ipsorum vivendi licentia ejus authoritate carceretur aut puniretur, aut ex laicorum ædibus, in quibus pro libito

[1] [This relates to the congregation, which I have elsewhere described (p. 45, 46 ante). The charge against the appellants of an ambitious design to place themselves at its head, is contradicted by the very rules of the association, and must, consequently, have been known by Persons to be untrue. The society, in fact, was intended to embrace the whole body of the secular clergy: the superior, with his assistants, *was to be elected annually* by the *majority of the members;* and if, therefore, the parties, here alluded to by Persons, were likely to be placed at its head, it could only be *because they were possessed, in an eminent degree, of the confidence and respect of their brethren.*

The other part of the accusation requires little comment. Left without a head, destitute of an authority to guide and to protect them, the clergy proposed to associate for their mutual comfort and support. They bound themselves to no extraordinary observances, they aimed at no extraordinary distinction. They sought only to supply the want of a superior, to unite themselves as a body, for the purpose of working out the general good, and to perform for themselves some of those offices, which the society had hitherto volunteered in their behalf. For such an institute what more approbation was necessary, than had been sought for the association under Weston, at Wisbeach?—*T.*]

vivebant,[1] petentibus ipsis laicis, subindè mutarentur; cujus rei non pauca exempla proferre poterimus, si id facere sigillatim à sanctitate

[1] [How can we reconcile this acknowledgment, that the houses of the laity were constantly open to the appellants, with the charge of dissolute morals, which is here levelled against them? or with that of publicly conspiring with the enemies of religion and of their benefactors, as asserted in the next paragraph? or with that not less extraordinary statement, put forward by the same writer, in his "Story of Domestical Difficulties," that, in consequence of the general depravity of the clergy, the laity would scarcely hold any intercourse with a secular priest, unless the latter were specially recommended by some member of the society?—"Qui etiam (catholici) tot tantisque seminaristarum naufragiis perterriti, nullum ferè cum illis usum consuetudinemque habere volunt, nisi a patribus societatis vel voce, vel scriptis, vel denique aliquo signo, fuerint comprobati" (p. 167). This was Persons's description of the clergy in 1596: let the reader, however, contrast it for a moment with the following private account, written scarcely four years earlier, by a person on the spot, and transmitted with a general narrative of the persecution to Verstegan, at Brussels.

"The fruit that priests do," says this writer, "is unspeakable. It was not long since, that the use of sacraments was very rare; priests shunned for fear; and very few found that refused to go to church: whereas now, confession and receiving are the greatest comforts that catholics esteem of; and infinite are desirous to use and to have the help and presence of priests, for the benefit of their souls.

"If some priests have fallen, yet can it not be much marvelled at, considering the rigour of the persecution: but, sure, it is a manifest miracle, that, among so many, so few scandals have risen; especially, these things considered:—First, there is no superior over any; every one being equal with other, and in none more power to control than in other: and, therefore, more than the law of conscience and fear of God, here is neither censure, nor other temporal or spiritual penalty, that can be, according to the ecclesiastical discipline, practised upon any (which hitherto, God be thanked, hath little needed); and so, men not standing in awe of these bridles, it is marvel they keep so happy a course as they do:—Secondly, their attire, conversation, and manner of life must here, of force, be still different from their profession; the examples and occasions, that move them to sin, infinite: and therefore, no doubt, a wonderful goodness of God that so few have fallen:—Thirdly, the torments to priests most cruel and unmerciful, and able to daunt any man, without singular grace: and this also increaseth the marvel. In sum, where only vice escapeth unpunished, and all virtue is suspected and subject to reproach; the very use and liberty of sinning being so common, and all opportunities so ready, it is the finger of God, yea, and his strong hand and high arm, that keepeth so many and so young priests, in the flower of their age, from infinite scandals.

"It is a singular comfort, to see how willingly they venture their lives, never sleeping one night in security, nor eating a bit of bread without fear, but, like men ever in hazard of their liberties and lives, they are still in expectation of the persecutor: yet, nothing dismayed with all these frights, they still pursue their labours, and attend to gain souls, riding, going, toiling, and wearying themselves in all kind of travails.

"And God hath so framed the minds of catholics, that, notwithstanding all dangers, they are, in regard of their conscience, contented to venture lives and livings for priests' safety; rather hazarding that they *have*, than that they *are*, and preferring God and their soul before all earthly things.

"The reverence and respect of catholics to priests is very much; and whereas there are now no prelates nor bishops to honour the clergy, God hath so disposed their minds, that every priest is as much reverenced, as heretofore bishops.

vestrâ jubebimur; licèt inviti admodum hæc tam ingrata referre velimus.

Tertium est de manifestâ conspiratione istorum hominum cum publico fidei hoste, quæ sensim primò ac clandestinè, exeunte anno 1598, tentata atque inita est, posteà verò palàm publicèque continuata, in maximam catholicorum præjudicium, ac manifestum ipsorummet periculum, cum nulli ferè hactenùs ad hanc cum hæreticis confœderationem * * *

Cætera desunt.

*** *Persons to Mush. May 25*, 1602.

[Copy in Persons's own hand. Stonyhurst MSS. Ang. A. iii. 12.]

My old friend, Mr. Mush.

For this is the vigil of the Holy Ghost, which came as to-morrow upon the first professors of our christian religion, giving them that true divine spirit, whereby only men may be saved; and for that no spirit is so opposite and repugnant to this, by the testimony of Christ and his apostles themselves, as the spirit of disunion, contention, envy, emulation, anger, and enmity, as St. Paul, you know, in particular setteth down to the Galatians (at the very cogitation whereof I confess unto you truly and sincerely, in the sight of Almighty God, that my heart trembleth, whensoever I consider the danger); and for as much as you and your company, having been now full three months, I think, in this

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"They so much esteem the blessing of a priest, that they not only ask it every day, at their first meeting with priests and their last parting from them, but, if any other come, between these times to ask benediction, they all ask with them, never weary, yea, never almost satisfied, with being blessed. So hath God planted in their hearts a reverent and loving regard to this function." Stonyhurst MSS. Ang. A. i. 70, cap. 9.

As I have mentioned the Story of Domestical Difficulties, I will briefly refer to a passage which I have cited (page 45, ante), from that work. Since the foregoing sheets were printed off, I have discovered that Persons, whom I had supposed to be the author of the words, "certè quisquis infelicissimo illi regno," &c., elsewhere repeats them, and attributes both the words themselves, and the sentiment which they embody, to cardinal Sega. As regards Persons himself, the difference is material: but it is not sufficient to disturb the inference which I have drawn from the passage. That the opinion expressed in it was unfounded, there can be no doubt. Still, it was held and proclaimed by the heads of the party. If not originally pronounced, it was, at least, deliberately adopted, by Persons; and it is not, therefore, improbable that it may so far, at least, have operated on the mind of Garnet, as to prompt the unguarded expression, attributed to him by his opponents.

As regards the members of the society, it may, perhaps, be a fact worth mentioning, that their numbers in this country were extremely small. Hunter, himself a jesuit and the zealous antagonist of Dodd, assures us that "there were not, in those days, *above five or six of them, at any one time, in England.*" Reply to Dodd's Secret Policy, MS. at Stonyhurst, Dialogue 3.—*T.*]

city, have fled, as it were, our company and conversation, that are of the same religion and communion with you, and have been your old friends and brethren in times past, and have invited you divers ways, since your coming to the city, to more friendly and charitable meeting and dealing together, than you hitherto have shewed yourself willing to embrace;—for all these and some other considerations, which here in particular you will perceive, I have thought good, at this time (though, in most men's opinions, *I be the man of all other most injured by you and your brethren, in their books and speeches)*, to break this long silence, by occasion of this high and holy feast, putting us in mind what spirit we must put on and follow, if we mean to arrive to eternal salvation, and what spirit we must fly, to avoid perdition, according to the plain denunciation of the apostle, "Si quis spiritum Christi non habet, hic non est ejus." And whether this be the spirit of Christ, to contend in this sort, to emulate, to envy, to fly company one of another, and to raise such scandals in our new planted English catholic church, that lieth so grievously under the hand of the persecutor, yea, and to join with the persecutor himself, to help out our passionate pretences against our own brethren, this, I say, is easy to consider to all them that are out of passion, for the present, and will be, at the day of judgment, to all the world, but especially to the doers themselves. Alas! Mr. Mush, is it possible that priests, illuminated once with God's grace, and brought up, for many years, in the exercise of meditation of spirit and spiritual courses, should come now by passion into such darkness, as not to see or discern these so damnable things, which every common and ordinary catholic man, understanding the cause, doth condemn, and cry shame to our whole nation for the same.[1]

[1] [With what feelings must the reader, who bears in mind the contents of the last few pages, peruse this and other similar passages of this letter! That Persons wrote under the supposition, that his practices against the deputies and their friends had escaped their observation, is, I think, clear: but that he should have drawn up the charges contained in the preceding document, that, within a few weeks or days from the moment at which he was writing, he should have deliberately committed to paper the appalling accusations described in a former note (page clvii. ante), and that he should nevertheless have been able to pen such a letter as the present, carries with it something so painful, and, at the same time, so humbling, to our nature, that the mind gladly and almost instinctively turns from its contemplation.—Yet this is not all. Only fifteen days later, we find him, under the disguise of the archpriest's agents, returning to many of his former charges, declaring, on mere suspicion, that the very men, whom he is now addressing as brothers, had instigated the late executions in England, and, in terms that can scarcely be misunderstood, entreating the pope's permission to deal with them in such a manner, as to make them feel the enormity of their crime, and be thankful for any future indulgence:—"ut cum illis qui Romæ sunt appellantes, quique totum hoc in Anglia incendium literis suis sustentare

Your best friends, both here and elsewhere, as far as I could ever understand, do not otherwise go about to defend or excuse you or your fact, but by saying that all men have their passions, when they are exasperated, and consequently that you ought not to have been so much irked in England, as you were:—which grant it were so, and that you were provoked indeed somewhat more by sharp words and facts, upon occasion given by you, than other men would have wished (in which point, notwithstanding, other men defend themselves, and you cannot in conscience deny to have known and seen *my desire to the contrary, by my often letters both to you and others for sweetness and moderation)*,—but grant, I say, that the excuse of your friends were true, and that you had some occasion to enter into passion and breach as you did, yet, seeing this excuse granteth your motive to have been occasioned passion, it doth not deliver you from the guilt of such scandals and damages, as, by your perseverance in that passion, have ensued since, and daily do increase, both at home and abroad. Neither doth it take away your obligation to lay down that passion, especially now, after so long time, and to come to some moderate and reasonable atonement with your brethren, by staying matters at home, and by discussing your controversies friendly and charitably here,[2] as Christ commandeth all men so to do, but especially such as offer at his holy altar daily: And you cannot but remember the dreadful threat of his apostle against them that receive there his body unworthily; which unworthiness both himself, and St. John, and other saints, do hold, as you know, to be in the highest degree in him, that is in hatred, enmity, contention, envy, or emulation with his brethren.

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creduntur, sic agi permittatur, ut errata sua videant saltem ac confiteantur, quò magis indè fiant idonei ad agnoscendam quamcumque sanctitas vestra in eos postea exercuerit indulgentiam." Rough Draft of Memorial, in Persons's hand-writing, Stonyh. MSS. Ang. A. iii. 17.—*T.*]

[1] [In private, and to the members of the society, Persons could speak more candidly. Writing to Garnet in the following October, and touching upon this very point, he says,—"So many sharp letters have been shewed here, as made our best friends say there was too much fervour, which, encountering with no less heat on the other, hath brought out this flame, and all lighted upon 446 (Persons). Well, now I trust the matter is well past on; and he prayeth you to let him repose awhile; at least for a year or two, for so he hath need" (Stonyhurst MSS. Ang. A. iii. 24). How much more conciliating would this frank avowal have been, than the magisterial tone adopted above, or the vain attempt to conceal or to deny the errors of his own party!—*T.*]

[2] [Notwithstanding Persons's disclaimer, in a subsequent part of the letter, I am inclined to suspect that these words betray his real motive for writing. It was already evident that the government of the archpriest would be retained: but the questions of reprimanding Blackwell and prohibiting his communication with the society were to be discussed: Persons felt that, on these points, he was likely to be foiled; and it, of course, became an object of importance to conciliate the minds, and, if possible, to neutralize the opposition, of the deputies.—*T.*]

Wherefore, I do most heartily beseech you, Mr. Mush, and the rest of your fellow priests there with you, even for the love of our Saviour, Jesus Christ, giver of all good spirits, and for reverence of the Holy Ghost, whose happy and blessed coming is celebrated to-morrow, that you consider well with yourselves what spirit leadeth you and yours in this contention, whither it tendeth, what lamentable effects it hath wrought already, and doth work daily, in England, by the breach there made among catholic people, what scandals have fallen out, and do fall out continually, *beyond your expectation or wills, I am sure;* this being the nature and condition of divisions and contentions once begun, to break out further and to fouler effects, than the authors, at the beginning, did imagine; whereof, notwithstanding, they remain culpable both before God and man, if they seek not to stay them in time: and you must remember that it will be but a small excuse to posterity for so great mischiefs, to say that you were put in anger or rage by others, and much less defence and excuse can it be with God, at his tribunal, whose just dread ought to possess us all. Neither must you think or say, as men are wont to do that love not peace, that this is written for any other end, but only to put you in mind of this present holy feast, and of all our duties therein, to look to the spirit whereby we are guided, and to take the course which christian catholic priests ought to do. For, as for other matters, touching the controversy in hand, about your superior in England, you may easily guess, by that you have seen already, how it is like to go in the end, and how little cause we have, that stand with the archpriest, to seek other atonement, than by judgment and sentence of his holiness and judges appointed: neither do we desire, or can accept, other; but yet, for that christian charitable behaviour, in the mean space, doth nothing prejudicate this final and judicial determination in my opinion, I was induced to write you this, for the present. God's holy Spirit inspire you to take and use it, to his glory and your own good; to whose holy benediction I commend you and yours, and myself to all your prayers. From the English college this Whitsuneve, 25 May, 1602.[1]

Endorsed "F. Persons to Mr. Mush, the vigil of Pentecost, 1602."

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1 [When, in addition to what has already been said, it is further stated that, almost at the very moment when Persons wrote this letter, he was publishing his "Manifestation;" that, in that work, the deputies, who are studiously confounded with Watson, are assailed with the most unmeasured abuse; and that the very person, who is here addressed in terms of friendship, is there sneered at as having been originally "a poor rude serving-man," received and educated by the jesuits, in the English college, out of charity, and known afterwards by the appellation of "Doctor Dodipol Mush" (f. 95b., 96a.), the reader will scarcely be surprised to learn that the present epistle, as well as two others, subsequently addressed, the one to Mush, the other to all the deputies, in the same strain (Plowden, 339—344), was suffered to lie unnoticed.—*T.*]

*** *Persons to* ———, *May* 25, 1602.

[Persons's rough draft. Stonyhurst MSS. Ang. A. iii. 13.]

Good Sir,

By my last of the 27th of April, I advertised you what then occurred about our appellant priests in this place, telling you how earnestly they denied to be privy or consenting to any of the books printed by Watson or his fellows, but only two in Latin, disclaiming all the rest, and detesting the authors: though hitherto we cannot understand that they have done the same under their oaths, nor yet condemned the scandalous and heretical propositions, therein contained, under their own hands; though they offer to do it. And divers chief learned men here, having heard the case how it standeth, and that these books were published by some of their company, and in the name of their whole association, do affirm that they are bound in conscience so to do, under pain of grievous sin. We shall see in time what they will do in that point: but, in the mean space, his holiness hath commanded the same to be censured by the inquisition; which censure is expected shortly to come forth authentically. In the mean space, both his holiness and all others do see the propositions to be most wicked and heretical, nor is there any doubt of their condemnation.

Father Persons hath been forth of town, for the most part, since I wrote my last. * * * * * In his absence, I hear of little done in the appellant's affairs; his holiness, and the cardinals to whom the matter is committed, seeming to be full weary thereof, to see so great clamours raised upon so small grounds, and so obstinate contention continued about things of no substance. Yet I understand that the appellants having exhibited eleven gravamina, or aggrievances, against the archpriest, and offered to prove all out of his own letters, a day was appointed when the said letters should be examined, which was upon the 22d of this month, in the presence of cardinal Burghesius (the other being out of town); which letters being brought forth by Mr. Mush and Champney, and the two procurators of the archpriest and two English fathers of the society being also present, albeit the said letters did mention and handle some of those points which they call aggrievances (namely, for their reprehension, restraint, or suspending of faculties, and the like), yet, when the whole letters were read, with their reasons and arguments, and all circumstances considered, it seemed a far different thing, from that which they had odiously collected and urged against him: and the thing seemed greatly to move all that were present, some to marvel, some to compassion, some to shame; so as oftentimes the cardinal would have some parts of the letters read

over again, and could not but wonder to see such spirits among us: so that the said letters did indeed fully answer themselves, in those six grievances which there were handled.[1] Five more remain for another day.

In this conference, and another private speech the day before, in the same cardinal's house, between some of the appellants and of the other side, divers matters passed, which were over long to recount here: only you must know, that, as they take themselves greatly injured, when any knowledge or consent of the former books printed is attributed to them, so also, when any least mention is made that they mean to draw the jesuits out of England, they are highly offended, utterly denying the same: in so much that, when they saw the foresaid two jesuits to appear there at the examination of the letters, they asked, why they came, or did meddle in this matter, that appertained unto secular priests? Whereto they answered, for that they had forced them thereunto, by making them a principal part in all their books and clamours. And moreover, this then is their course here, far different (as it seemeth) from that they hold there with you. And, further, it is noted that, whereas, in their said books, the greatest subject of all their invectives is father Persons, here they have not hitherto so much as named him in all their writings given up,[2] which are divers and large (as before I signified), and such as contain the body of the whole cause, together with the final conclusion and judgment for a better ecclesiastical government among them, under six archpriests, two supreme syndics, with several assistants; all, even archpriests, to be chosen yearly, or every second year, by the priests assembling themselves together, for that purpose: which, therefore, how many difficulties and inconveniences it will have in practice, every man here of mean judgment doth discover, ascribing this desire of innovation to unquietness

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1 [That Persons knew this to be untrue there can be no doubt. Independent of the evidence of the breve afterwards published, Persons himself, on the very next day after he had written this account, employed Smith to address a body of instructions to the jesuits Jackson and Hunt, which the reader will presently see, and in which he acknowledges all that is here denied. Yet this strange misrepresentation is written on the very same day, on which he penned the adjurations, contained in the preceding epistle to Mush and his companions!

With regard to the "grievances" themselves, Bennet tells us that there were fourteen in all; that seven were heard and examined on the first day; and that these so fully bore out the general charges of the appellants, that it was deemed unnecessary to go into the remainder. He adds, that all four of the deputies were present. Original MS. in my possession.—*T.*]

2 [It may be that they had not spoken of him *by name:* but, in their very first memorial, presented on the 14th of March, they complained generally of the imputations cast on them by their *adversaries*:—"de gravissimis criminibus per adversarios delati sumus." Gradwell MS. in my possession, p. 187.—*T.*]

of spirit and ambition in the movers, and, according to this, not like to end.

And this is all I have to write now, but only that Bagshawe appeareth not yet here, but remaineth at Paris, from whence we are informed of his and his fellows' frequent treating with the English agent there, how to prosecute this matter, and maintain this division:[1] and the like, no doubt, do his correspondents there with you, towards my lord of London; and what good or godly effect may finally ensue of this, every virtuous man will easily see. And so to God's holy providence I leave both you and them. Rome, this 25th day of May, 1602.

*** *Father Nicholas Smith, to the fathers Jackson and Hunt, on their departure for the English mission. May* 26, 1602.

[Copy, Stonyhurst MSS. Ang. A. iii. 16.]

Pax Christi.

Reverend good Fathers.

Father Persons, by reason of his great business not having leisure to write himself, at this time, hath committed this office unto me, which I perform most willingly, both for discharge of my duty to him, and also, by this occasion, to begin acquaintance with you, and crave of you that I may be partaker of your holy and happy labours, in that holy service of our Lord, to the which you are called. * * * * *

You have heard, or may and will hereafter, of the dissension and

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[1] [This was one of the charges against Bagshawe, contained in that extraordinary paper, which I have described in a former note (p. clvii., ante). As the reader will recollect, it was there inserted, for the purpose of being placed as a substantial accusation under the eye of the pontiff. It is here again repeated: and yet, only twelve months later, he writes to Bagshawe as his "old friend, Mr. Doctor;" pretends scarcely to recollect the nature of the charge; assures him that it came to him as a report, to which he paid but little attention at the time; and finally acknowledges that his subsequent enquiries have convinced him of its calumnious character. As the passage will go far to shew the real value of Persons's accusations, I think it right to subjoin it. "Being further informed," says he, "that you were grieved with a new report that should be made here, of your writing into England to some of the council, with Percival and his fellows, when from Paris they went thither, I thought best by these few lines to salute you again, and to confirm hereby whatsoever I wrote in my former letter, or the captain signified in his, touching my disposition and desire to ancient union, love, and peace, and that all former disputes and debates be wholly forgotten and forgiven, as, on my part, I trust they have been long agone. * * * * And for the present, concerning the former rumour, I do not now well remember what was reported, or written hither, about that matter, *nor did greatly regard the same; the reports being infinite that ran up and down*, in those times of trouble, and *many upon slight grounds:* but, since that time, I have had particular occasion to inform myself, by the coming hither of Percival, who cleared you fully in that behalf; and so I have signified to divers friends." Stonyh. MSS. Ang. A. iii. 34.—*T.*]

discord, raised, these later years, amongst the priests, and the evil affection some of them seem to bear towards their superior, the archpriest, and our fathers; for the remedy whereof, though many good endeavours have been done, both here and in England, yet nothing hath succeeded hitherto; but that pernicious fire hath grown still greater,—God so permitting, for our further trial. Concerning this point, by father Persons' order, I am to enlarge myself a little, and to signify unto you, for your better instruction, what he would have you do herein.

His opinion is, and so he hath often written, and would have you inculcate earnestly, in his behalf, when you shall be arrived in England, that it behoveth our fathers very much, as also the archpriest, that they be very circumspect and careful in their speaking and writing, and give not the least occasion of offence or aversion to any, but, by charity and patience, labour to get and keep the good affection of all; and, howsoever any of the discontented should exceed, as heretofore they have, either in words or deeds, never to reply upon them, which were contrary to the prohibition of the apostle, *reddere maledictum pro maledicto*, but rather to dissemble all, that each one may say with David, *cum his qui oderunt pacem eram pacificus*, and with our meek and sweet Saviour, *Ego gloriam meam non quæro, est qui quærat et judicet.* And this is not only his opinion, but the will of his holiness and of father General, who, having seen here a certain appeal made by the unquiet, though, for the substance thereof, they condemn them and their uncivil demeanour towards their superior,[1] yet observe also, and much mislike, the manner of proceeding used by the archpriest and his friends, and wish he had shewed more mildness, and rather a sense of feeling of compassion, than of so much choler and indignation: for,

[1] [This assertion is opposed to the truth. Persons, indeed, through Blackwell's agents, had suggested to the pope the expediency of reprehending the conduct of the appellants, and of signifying his displeasure in the breve about to be published: "An non expediat presbyteros etiam appellantes similiter reprehendere (it had been determined to reprehend the archpriest) de inordinato ipsorum procedendi modo ac tumultuatione (saltem in generali), ne alii ipsorum exemplo ad similia animentur" (Dr. Gradwell's MS. copy in my possession). On another occasion, the same point had been urged in the following terms:—"Si nulla etiam presbyterorum appellantium, post tot tantasque tumultuationes et gravissima in Angliâ scandala excitata, expressa habeatur hoc in scripto reprehensio, ingentem movebit tum catholicis, tum hæreticis, admirationem, et hæretici quidem videbunt, aliosque liberioris vitæ presbyteros ad facta similia excitabunt, catholici præcipui animis cruciabuntur, qui frequentibus literis id se cupere atque expectare, ut dignâ aliquâ castigatione coerceantur" (Ibid). The pontiff, however, refused to listen to the advice; and the breve, though it condemned Blackwell, passed no censure on the proceedings of his opponents.—*T.*]

although they are well persuaded of his good mind, and attribute all to his great zeal,[1] yet they hold it had been much better to have dissembled many things, and referred them hither, to be censured here, from whence there might have come less offensive and more effectual remedy. Yea, they shewed themselves somewhat offended, to see such multiplying of edicts, and threatening of censures, in so sharp phrases as are set down in the appeal.

And to come to our fathers: some writings and sayings also of theirs in this affair have been misliked by his holiness and father General; and especially the "*Treatise of Schism*," in regard of the vehement exaggerations, uttered in more sharp terms than they think was beseeming for a religious person to set down; and therefore could serve no other end, but to exasperate more the sick and sore minds of those passionate men, as experience hath taught.[2]

His hope is, therefore, that hereafter they will be more wary, and seek to remedy errors past, by the most convenient means they can. And his desire further is, that you deal effectually with them in this point, assuring them, that (howsoever they persuade themselves) not-

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1 [The reader will presently see an extract from the proceedings of the congregation of cardinals, shewing that they attributed Blackwell's violence and errors, not to "his great zeal," but partly to his ignorance, and partly to the mischievous advice of others.—*T.*]

2 [It may, perhaps, be doubted, whether the terms, in which Persons, both here and elsewhere, instructs Smith to speak of the appellants, were calculated to produce any very ardent feeling of charity and brotherly attachment in their regard. At all events, it is painful to think that the man, who could dictate the excellent advice contained in this letter, should himself, by his writings, be among the foremost to act in opposition to it; and that, although he could here privately condemn the production of Lister, as unworthy of the religious character, he could nevertheless, in his communications with the aggrieved parties themselves, seek to justify its assertions, and represent its sustained violence, as the accidental, and not always misapplied, warmth of a good man's zeal. How unlike the acknowledgments of the present letter is the following passage from one of his epistles to Colleton!—"I can learn," says he, "no other cause of this new broil, but only the book, written in the former troubles, concerning *schism*; which, considering when and for what cause it was written, to wit, to stay men from further breach; and that it nameth no man in particular, nor defineth any several man's action, and that all is past, and the atonement wholly made on both sides (*this was not true*), I do not see by what reason, or with what good spirit any man may review the same again, or prosecute that controversy to the making of new breaches: for, whether the matter were schism or no (which dependeth of the intention, manner, and degree of each man's fact in particular), yet all men do see that the whole controversy did tend to schism, if it had continued; and consequently, though the book *were* written with *somewhat* more sharpness than *many* particular men's actions deserved (*as, in such occasions and times, good men are wont to write*), yet ought the thing now to be no new matter of contention (Stonyh. MSS. Ang. A. ii. 60). Would not a candid acknowledgment of Lister's "vehement exaggerations" have been far more conciliating, than this impotent attempt to palliate or to justify his accusations?—*T.*]

withstanding all good offices he hath done, both by himself and others, to inform the superiors the truth, alleging what hath been done by the archpriest and our fathers, to quiet these unquiet and contentious persons, so far forth, as they seem persuaded that these discontented have deserved much more than hath been done unto them,[1] yet can they not but think (the circumstance of time and place considered) both archpriest and our fathers might and should have proceeded otherwise, and therefore cannot wholly be excused: so as, unless they will incur their further displeasure, they must of necessity alter their courses, and shew such charity, patience, and humility hereafter, especially our fathers, as it may evidently appear that *obstruitur os loquentium iniqua, non habentium mala dicere de nobis,* and that nothing is omitted on our part, that may help to end this contention, of which there ariseth so much scandal, and so great hinderance to the catholic cause.

Oh! that there is not another St. Augustine, to say or write to them as he did, on the like occasion!—"Heu mihi, qui vos alicubi simul invenire non possum! Fortè, ut moveor, ut doleo, ut timeo, prociderem ad pedes vestros, flerem quantum valerem, rogarem quantum amarem, nunc unumquemque vestrûm pro seipso, nunc vos omnes pro omnibus, et pro aliis, et maximè pro infirmis pro quibus Christus mortuus est, qui vos tanquam in theatro vitæ hujus cum magno sui periculo spectant, ne de vobis ea conscribendo spargatis, quæ quandoque concordantes delere non poteritis qui nunc concordare nolitis, aut quæ concordes legere timeatis, ne iterùm litigetis."

I would ask with the same St. Augustine of any that could tell me,—"Unde inter illos, qui conjunctissimi et familiarissimi mella scripturarum sanctarum lambebant, tantæ amaritudinis irrepsit pernicies? Et quando hoc? Cum, abjectis jam sarcinis sæcularibus, expediti Dominum sequi profiterentur. Ubi tandem? addo ego. In Angliâ; insultantibus hæreticis, gementibus catholicis, quòd per hæc dissidia ecclesia ipsa, quæ in se non potest, in suis membris, dissolutâ charitatis compagine, laceretur, dum pars à parte divellitur, quæ sub uno tamen capite utraque vivere gloriatur." Being fallen into Latin, I forget myself. God, I beseech him, "spiritum nobis suæ charitatis infundat, ut quos sacramentis paschalibus satiàvit, suâ faciat pietate concordes." Amen. Romæ, 26°. Maii.

Yours assured ever

N. Smithe.

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[1] [The reader will remark this distinct acknowledgment of the efforts of Persons, "both by himself and others," against the appellants.—*T.*]

*** *Memorial written by Persons, and presented in the name of the archpriest's agents, to the cardinals Borghesi and Arrigoni,* 1602.

[Extract from Persons's Rough Draft. Stonyh. MSS. Ang. A. iii. 18.]

[*This paper, in the original, is entitled "Humillima Supplicatio et Declaratio Procuratorum Archipresbyteri et Cleri Anglicani, apud illustrissimos cardinales Burghesium et Arrigonium, de gravissimis scandalis, damnisque irreparabilibus universorum catholicorum causæ imminentibus, si presbyterorum reluctantium ac tumultuantium importunitati quicquam contra præsentem ecclesiæ Anglicanæ statum, receptamque suæ sanctitatis subordinationem concedatur." Having stated that success, in the present instance, would only encourage the appellants to make further demands, and that a change in the form of government now established would be at once a source of triumph to the protestants, and a concession to men, whose morals and whose practices had degraded them in the eyes of the catholics, it thus proceeds*]:—

Quamcumque isti rationem proponant, ea majoribus longè difficultatibus atque incommodis implicata reperietur, quàm hæc archipresbyteri subordinatio. Tria enim omninò sunt, quæ ab istis proponi possint: 1°. Ut fiant episcopi, loco archipresbyteri; 2°. Ut archipresbyteri authoritas in alium transferatur; 3°. Ut nullus sit prorsùs cum authoritate superior. Istorum primum cum ab initio postularetur, gravissimis de causis à suâ sanctitate, consultâ etiam sacræ inquisitionis congregatione, rejectum est, ne graves inde excitentur persecutiones: nunc autem plures multùm habet difficultates, tum de eligendis personis, tum etiam de iisdem in Angliâ sustentandis, ac denique quòd multùm magis reginæ ac consiliariis suspecti erunt, neque propterea audebunt catholici, rebus sic stantibus, in ædes suas eos recipere. Secundum verò, de mutandâ archipresbyteri personâ, præterquàm quòd difficillimè in universo clero Anglico alius reperietur ei comparandus, durum omninò catholicis videretur, ut, ob defensam à se, suis cum periculis, sedis apostolicæ authoritatem, tam ignominiosè, ad solam inquietorum petitionem, vir dignissimus loco moveretur: nec quietorum hominum aliquis auderet postea hanc provinciam tam periculosam sustinere, neque inquieti ullum facient altercandi finem, cum solis se clamoribus superiorem suum opprimere posse cernent. Tertium verò, ut nullus omninò in tantâ plebe atque clero catholico superior esset, non poterit suæ sanctitatis prudentiæ atque experientiæ non absonum videri, cum ingens indè rerum hominumque confusio, tam in Angliâ quàm in seminariis, sequeretur; nunc præsertim post hanc subordinationem institutam, ac nonnullorum annorum spatio continuatam: cujus etiam sententiæ sunt, non tantum catholici omnes quieti, sed hii etiam tumultuantes; ut ex ipsorum literis passim apparet.

Hoc judicium catholicorum omnium prudentiorum est, tam eccle-

siasticorum quàm laicorum, hanc ipsam regiminis formam, per archipresbyterum atque assistentes, à suâ sanctitate institutam, non solùm necessariam fuisse, sed, rebus etiam Anglicanis sic stantibus, reliquis omnibus minùs incommodam minùsque hæreticis invidiosam. Quòd si tamen, ut in humanis ferè rebus contigit, res ipsa, vel aliquorum hominum infirmitas vel perversitas, incommoda aliqua sanctitati suæ attulisse videbitur, ea non erit difficile, vel explicatione aliquâ, vel instructione, vel moderatione, quæcumque ei placuerit, adhibitâ, quamprimùm amovere. Nam quod ad archipresbyterum attinet, sive de modo regendi atque officium suum administrandi, sive de ferendis aut coercendis inquietis, sive de castigandis delinquentibus, sive de eisdem ex uno in alium locum transferendis agatur, paratissimus erit illud omne accuratissimè observare, quod sua sanctitas per suas ei instructiones ordinaverit. Patres verò societatis, de quibus tantoperè isti queruntur, etsi nullam unquam jurisdictionis aut potestatis particulam in presbyteros sæculares habuerunt, atque, ad hujus rei declinandam invidiam, instantissimè laborant ut hæc subordinatio penes presbyteros tantùm sæculares esset, tamen, tàm longè ab hac ambiendâ authoritate, quam isti objiciunt, alienos esse scimus, ut quamcumque pacis conditionem libentissimè amplexuri sunt, modò liberi esse possint ab hac malignantium impugnatione, ut pacatè animarum salutem procurare possint:—nominatim, verò, si clausula illa unica in illustrissimi cardinalis Cajetani instructionibus posita, ab istis tam vindictè ubique exagitata, ab ipsomet verò cardinali protectore ad unionem animarum et concordiam adhibitâ (quâ nimirùm clausulâ archipresbytero ut res majoris momenti, consilii capiendi causâ, cum superiore societatis conferantur), incommodum aliquid habere videatur, facilè erit suæ sanctitati, pro singulari suâ prudentiâ, de hoc etiam quod videbitur statuere.[1] * * * * *

[1] [When, however, it was subsequently resolved by the cardinals to abrogate the clause in question, and to relieve the archpriest from the necessity of consulting the superior of the society, a memorial was instantly presented to the pope, setting forth the inconveniences likely to arise from such a step. The fathers themselves, it says, will gladly accept the relief: yet, "tam stricta prohibitio, si in Anglià publicetur, duo magna incommoda habitura est: primum, quòd viros optimè de Anglicana ecclesiâ meritos gravi notâ tam apud hæreticos quam catholicos afficiet: secundum, quòd archipresbytero officii executionem multis in rebus impossibilem planè faciet, præsertim in recipiendis ac disponendis sacerdotibus, qui in Angliam ex seminariis recenter veniunt. Nam cum illi, Londinum venientes, nullum aliud habeant refugium quàm ad archipresbyterum, ut ipsis tam de residentiâ quam de rebus ad vitam necessariis provideat, ille verò nullam possit habere de ipsis informationem forinsecus, nisi a patribus qui seminaria gubernant, *neque in Angliâ, nisi per patrum operam, industriam, ac charitatem, ullo modo eis provideri possit*, fiet necessariò, ut, hac communicationis prohibitione, tota hæc specialis negotiatio, quam patres hactenus magnis laboribus ac

*** *Persons's Reasons against increasing the number of Archpriests.* 1602.

[Rough Draft in my possession.]

1. Considerandum primò videtur reginam Angliæ ejusque consiliarios diversos omninò, imo planè contrarios, fines habere, in hac causâ tractandâ, iis quos habet sanctissimus, cum id habeat sibi propositum sua sanctitas ut religionem catholicam in Angliâ promoveat, ac unionem inter catholicos conservet; regina verò, è contra, ut fidei catholicæ progressus impediat, et catholicos inter se divisos et discordes teneat: ex quo sequitur istos appellantes, quamdiu à reginæ voluntate pendent, et cum ejusdem ministris tractant, non se posse verè, quicquid interim dicant vel promittant, ad suæ sanctitatis intentionem conformare.

2°. Cum omnibus sit notorium suam sanctitatem jam tria vel quatuor brevia apostolica emisisse, quibus archipresbyteri institutio ejusque authoritas confirmatur, cunctique catholici, exceptis paucissimis, hoc est, laici omnes, et longè maxima sacerdotum pars, eam summâ animorum voluntate atque consensione amplexa sit, videtur ad sedis apostolicæ dignitatem atque existimationem vehementer pertinere, ne facilè quicquam, ad ejusmodi hominum petitionem, qui manifesta habent cum hæreticis commercia, in præsenti regimine immutetur.

3°. Cum duo sint in Angliâ catholicorum genera, presbyteri atque laici, hii verò maximum persecutionis pondus, tam in bonis quàm in personis suis, sustineant, hinc fit ut maxima horum ratio habenda sit. Ii verò omnes has appellantium molitiones valdè exosas habent, tum ob gravissima scandala indè enata, tum ob maxima ipsis impendentia pericula ex horum hominum cum fidei hostibus commercio. Quare quicquid de eis alibi statuatur, certum est hos catholicos laicos domi in Angliâ difficillimè eis fidem habituros, vel iterùm eos in ædes suas admissuros, quoad de præteritis cum hæreticis coitionibus satisfactum ipsis fuerit: facilè enim prævident hii catholici, nobiliores præsertim ac prudentiores, presbyteros hos, qui cum reginæ consiliariis se implicuerunt, neque continuare posse commercia, nisi alios prodendo, neque

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periculis sustinuerunt, penitùs concidat, vel in difficultates inextricabiles incurrat" (MS. Gradwell, in my possession, 191, 192). Persons also, in a letter written principally in cipher, and addressed to Garnet in August, evidently speaks of this prohibitory clause, but in terms expressive of anything but a willing assent to it. "As for the clause," he says, "450, 39 &c., it must needs stand for the present; otherwise there would be no peace: after, when inconveniences are proved, they may be represented by means of 266, who, with help of 255, may procure sufficient remedy" (Stonyhurst MSS. Ang. A. iii. 24). The reader will afterwards see in what manner Persons attempted to set aside the prohibition.—*T.*]

facilè posse inceptum tractatum disrumpere, nisi magno proprii capitis periculo.

4°. Hoc etiam animadvertunt facilè catholici, hæreticis eum esse propositum scopum, ut duæ catholicorum hoc artificio excitentur partes seu factiones; una hominum leviorum ac inconstantium, seu factiosorum, imò discolorum, ac quâcumque de causâ offensorum ac alienatorum, in quam etiam confluant politici, athei, et alii istiusmodi, quibus ipsi se hæretici, ad hanc partem fovendam, conjungant, ut suâ authoritate ac favore aliam partem bonorum ac constantium catholicorum, qui præcipuè hereticorum conatibus obsistunt, impugnent atque persequantur; eo maximè colore, quòd præsenti reipublicæ statui non faveant, sed summis pontificibus et Hispaniæ regibus, in restituendâ etiam per arma religione catholicâ, adsensi atque obsecuti existimentur: quâ etiam de causâ ab istis inquietis apud magistratum hæreticum quotidiè traducuntur.

5°. Si ergo ullâ ratione favor aliquis à sede apostolicâ huic divisioni, tantoperè ab hæreticis expetitæ, præberetur, cresceret sine dubio statim in immensum, tum inquietorum insolentia atque multitudo, tum bonorum omnium afflictio, ac de restituendâ religione propè desperatio. Favorem autem interpretabuntur omnes singularem, si non solùm isti eorumque socii, post tot excitatos tumultus, talesque libros editos, impuniti dimittantur, verùm etiam id obtineant quod præcipuè habuerunt in votis, ut alium vel alios superiores habeant, seque ab aliis, ut corpus aliquod distinctum, separent: quâ unâ re id consequentur quod maximè cupiunt hæretici, nimirùm, ut, per duo vel plura constituta capita, initium prædictis duabus factionibus authoritate publicâ detur, quarum ea quæ deterior est, quantò velociùs, tantò periculosiùs ac perniciosiùs augebitur, tum quòd malorum turba ex libertate vitæque licentiâ citi s coalescit, tum quòd magistratûs hæretici in Angliâ etiam favor fraudulentus, et nonnulla saltem ab initio indulgentia, rem eam promovebit.

6°. Hinc fit ut, constituto semel et quasi authorizato hoc perniciosissimo divisionis incendio, ardebit statim universa Anglia seditionibus partiumque studiis, bonis omnibus ac constantibus catholicis his se opponentibus, *istis verò illos prodentibus, ac in hæreticorum manus tradentibus.* Impossibile etiam erit seminaria externa (ex quibus præcipua reducendæ Angliæ spes dependet) ullâ mediocris disciplinæ normâ continere vel regere: ut enim cuique puero vel juveni indisciplinato libitum fuerit tumultuari, vel licentiosiùs vivere, contrariæ se esse factionis profitebitur, et alios etiam pervertere studebit; nec ullum erit remedii genus, nisi ejectio, quod, præter ejecti ruinam, multa etiam secum alia adfert incommoda. Domi etiam in Angliâ nulla disciplinæ

lex, nulla regiminis forma teneri poterit, sed perpetuæ erunt tumultuationes: *nulla etiam spes de futuro successore catholico:* denique mira erit et miseranda rerum omnium confusio.

7°. Hæc verò omnia vitari posse videntur, si suæ sanctitatis factum ex catholicorum omnium probatorum voto ac desiderio defendatur, et brevia apostolica jam eâ de re edita observari jubeantur, his verò contradicentes pro rerum commissarum gravitate reprehendantur, ac deinceps obedire jubeantur, libri etiam enormes debitâ censurâ feriantur, commercia ac tractatus cum magistratu hæretico in catholicorum perniciem, sub gravibus censuris, in posterum prohibeantur. Si verò errata vel incommoda aliqua in præsenti archipresbyteri regimine hactenùs commissa vel enata reperiantur, ea non erit difficile, moderatione aliquâ adhibitâ, tollere, absque eo ut majori divisioni occasio præbeatur, ut nos ante, scripto separato, ostendimus, ad quod nos remittimus.

8°. Atque hac ratione dubium esse non potest, quin, per Dei gratiam finis exoptatus universæ huic molestissimæ controversiæ imponi possit; cum certum sit plerosque istorum repugnantium (qui omnes centesimam bonorum catholicorum partem non efficiunt) ad suæ sanctitatis voluntatem atque ordinationem se fore accommodaturos, idque necessariò, ne alioqui a nobilioribus laicis (qui omnes, uti diximus, tumultus hos invisos, habent) ob inobedientiam repellantur: è contra verò, si paucis istis animus ullâ ratione, per ea quæ hîc statuuntur, addetur, certum est longè majores ac graviores paulo post exorituras esse discordias, tum ex istorum sociorumque insolentiâ, tum ex bonorum omnium catholicorum querelis, qui certissimè sibi persuadent, literisque continuis id etiam significant, se id omninò expectare, ut ad exemplum aliorum hii tumultuantes, ob tot excessus, debitâ aliquâ animadversione coercantur.

*** *Persons to ——, concerning the business of the Appellant Priests in Rome, from the first of August unto the* 14*th of Sept.* 1602.

[Persons's copy, Stonyhurst MSS. Ang. A. iii. 22.]

In my former letters of the first of August, as also by an addition of the eighth, I gave you a brief relation, according to my promise, of all that passed in our appellant priests' affair, unto that day: now I will adjoin the rest that hath ensued, unto this present, which is not much, nor of any great consideration; but only that I desire you should know truly and sincerely how things do pass, in regard of the different rumours, which are spread and written abroad of this affair, as I perceive by your letters.

First, then, you shall understand that, as, in my former addition, I signified the cardinals of the inquisition having set down certain

points, about our English affair, in their congregation of the twentieth of July, 1602, to be communicated unto his holiness, it was thought good, after some days, that the same points should be imparted also with both parties, as well the priests as the procurators of the archpriest, to see what they would reply. The principal articles and most substantial of this agreement were ;—

That the archpriest should remain as before, without any alteration in his government, though, in divers points, he was to be admonished for the manner of proceeding, for the time to come, especially with these appellants that were come to this court:[1]

Item, that the books imprinted in England, and in Rouen of France, containing many injurious things against the fathers of the society and other men, "*multa etiam hæresim sapientia,*" as the words of the decree are, were "*omninò prohibendi et damnandi,*" utterly to be condemned in respect of the said heresy :[2] and it was added in the same decree, that it seemed good to some of the said cardinals, that these appellant priests here in Rome should be forced to declare, at least in general terms, that they did condemn the said books :

Another article was, that all participation and communication with heretics, in prejudice of catholics, should be forbidden, under pain of excommunication and loss of all faculties :

Item, that all appellations, for the time to come, and other business of

[1] [Let the reader compare this with the article, as it really stands, in the acts of the congregation. "Actum fuit de gravaminibus illatis ab archipresbytero presbyteris appellantibus; et illustrissimi domini censuerunt archipresbyterum multùm gravasse eosdem presbyteros, cum sæpe declaraverit ipsos esse schismaticos, rebelles, et inobedientes, eisque, hac de causâ, prohibuerit usum suarum facultatum, ac ne ab hujusmodi notâ et censurâ se defenderent, ne insimul convenirent, ne suffragia invicem sibi darent, ne ad partes transmarinas transirent, et appellationibus ad sedem apostolicam interpositis noluerit deferre.

"Cæterum dictum fuit, ipsum excusari aliquâ ratione posse, tum quia *non est jurisperitus*, tum etiam quia vero simile est, *plura ex his fecisse aliorum consilio.*

"Actum deinde fuit de formâ regiminis ecclesiæ Anglicanæ, propositâ a dictis presbyteris appellantibus: et eisdem illustrissimis dominis visum fuit nullo pacto ad præsens expedire ut aliqua mutatio fiat; sed injungendum esse archipresbytero ne suas facultates excedat, prout excessisse visum fuit, tam in pœnis et censuris infligendis, quàm in procedendo contra laicos et sacerdotes, qui non fuerunt alumni seminariorum, contra quos nulla sibi jurisdictio attributa reperitur. * * *

"Dixerunt denique restituendas esse facultates presbyteris appellantibus, qui ad curiam contra archipresbyterum venerunt, et eidem archipresbytero injungendum esse ne in futurum contra eos procedat, nisi priùs certiorem faciat protectorem, et ab ipso responsum habeat." Act. Cong. 20 Julii. MS. in my possession.—*T.*]

[2] [The words "*in respect of the said heresy,*" are an addition made by Persons to the decree: their object evidently is, to represent each of the prohibited books as containing doctrines savouring of heresy. This, however, was not the fact.—*T.*]

importance, touching our English ecclesiastical affair, shall be devolved to the cardinal protector here in Rome, and not to any other person:

That all writing of books by one catholic against another shall be forbidden, under pain of excommunication, except it be with the license of the said protector:

And finally, that his holiness will have this to be a full end of this controversy, and all silence put upon the same, for the time to come, with due obedience to the superior appointed by him.

These were the chief and most substantial points,[1] whereunto I understand that the procurators of the archpriest replied very little; but only represented certain difficulties that might fall out, in the manner of execution, with their opinions how they might be remedied:[2] which seemed well to content the cardinals, in respect both of the reasons alleged, as also of the modesty, wherewith they were represented. The other party, I hear (and that by relation of some cardinals themselves), made divers earnest replies, alleging both impossibilities, inequalities, inconveniencies, and other like incommodities.

The impossibilities were, for that they could not possibly be under the archpriest, nor concur with this kind of government: but these were easily seen to be voluntary impossibilities.

The inequalities were, that their books were condemned, with note of heresy, injuries, and the like, but, on the other side, books were only forbidden to be written for the time to come; whereas, they said that both the *Apology* was as injurious as any of theirs, and some other books also had as bad propositions: for proof whereof, they exhibited a certain supplication, made, as is said, some years past, by father Southwell to her majesty, out of which book they alleged (as one car-

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1 [This is not true. Besides the articles here mentioned, two other resolutions, not less important, were adopted; 1°. to prohibit Blackwell from communicating with the jesuits, in matters connected with the duties of his office; 2°. to admonish him on the necessity of being faithful in the distribution of the alms, intended for the relief of his distressed or incarcerated brethren (Act. Cong. 20 Julii). Did Persons, when he concealed these decrees, still hope to obtain their reversal?—*T.*]

2 [To shew the incorrectness of this assertion, I need only observe that I possess copies of two memorials, presented by the agents of the archpriest on the subject of these resolutions. From one the passage, already cited, in opposition to the clause prohibiting Blackwell's communications with the jesuits, is taken (page clxxiii., ante). That passage assuredly professes to point out "certain difficulties" likely to arise from the prohibition: but the *remedy*, suggested by the memorialists, is no other than the total omission of the clause. In the other parts of these documents, the main object is, to save Blackwell from the mortification of a public reprimand, and, if possible, to obtain the condemnation of the appellants (MS. Gradwell, 189—193, 215). The space which Persons here devotes to the answers, real or fictitious, of the other side, forms a singular contrast with the brief notice bestowed on those of his own party.—*T.*]

dinal himself related in my hearing), that he called the queen "*clementissimam et supremam post Deum dominam;*" which, belike, was, in our English tongue (for I have not read the thing itself) "*most clement and sovereign lady under God;*" which these now urged for heinous matter.

The inconveniences were, that they were forbidden to deal with heretics, in prejudice of catholics, which might be captiously taken or misunderstood: that the appeals to the protector was a matter of great length, and might have many inconveniences: whereupon they made divers other new suits and petitions, and, among the rest, that some of their company might be assigned for assistants in the present government, if it could not be changed; and that the archpriest should not be able to do without their consent. They urged also greatly the matter of alms, that accounts should be taken thereof, at the archpriest's hands; which the cardinals themselves answered to be unpossible, seeing he had no ordinary alms to take up, nor that any was bound to give him, and, if any man gave, it is like he would not have his name known nor registered, in respect of the peril. After this, they returned again to urge extremely that some other books might be condemned also, as well as theirs; using, for this and all other their demands, the help and authority of those, to whom they came recommended from France: whereupon, to give them some contentment, if it might be, his holiness was content that both the *Apology* and the other book before mentioned, of father Southwell, should be viewed. But, on the other side, the procurators of the archpriest made supplication to his holiness, that the matter might be despatched, seeing it had hanged so long in suspense, with increase of dissension every where, both at home and abroad; and that, forasmuch as the chief and substantial points were agreed upon, to wit, the continuance of the present government, the condemnation of the foresaid books, the prohibition of dealing with heretics, and the manner of appeals for the time to come,[1] these things might be first published and established for staying of further inconveniences; and that, if his holiness would have all books seen and viewed, that had been written on both parties, containing injurious speeches, slanders, or calumniations, they were very well content therewith, and would beseech his holiness to commit the same to some judge or judges, to examine juridically both the books themselves, or witnesses on both sides, and accordingly give sentence for punishment of them that had exceeded. But, for that this was a

[1] [These were the points, as the breve will presently shew, in which Persons and his friends had succeeded, and which, not unnaturally, they were now anxious to secure.—*T.*]

matter requiring more length of time, and that the books already condemned were of another quality (being censured for heresy) than were these other now to be examined for injurious speeches, they prayed that this second might not hinder the despatch of the first:[1] whereupon, his holiness, after some deliberation, being wearied, as he said, with the interpellations of both sides, and desiring to have the matter ended, willed the foresaid cardinals of the inquisition to hasten the despatch, and to make another peculiar congregation about the same: which they did upon Friday, the sixth of this present, and, upon Thursday following, represented the same to his holiness, when a final end was taken, and order given for the despatch to be put in writing, which we expect daily to come forth, though hitherto the particulars are not known: but it is presumed that, in substance, they are not much different from that which before was decreed. Notwithstanding, all men think that his holiness, of his piety, will condescend, for this time, in what he can possibly, to content and pacify these men, by all manner of benignity; though divers other men do think that it will not work the good effect, that his holiness most desireth. But this must be left to God's judgments; his holiness' pious endeavours being much, in the mean time, to be commended; and all those are made more inexcusable that will not be quiet, and hold [their] peace, for the time to come.

And truly, good sir, if a man consider well what hath been gained hitherto by all this long journey to Rome, and by this whole last year's travail and trouble, and by the contention of divers years before, it is a pitiful thing, and a matter of much grief and compassion, that men dedicated to God's service, in so high a duty and holy a work, as the mission of England is, should, by art of the enemy, be turned aside from prosecution of the said work, and fall the one upon the other, seeking to buffet and break heads, with the laughter of all their enemies, and intolerable grief of their friends and superiors, and will not be pacified nor induced to follow their former work again, in peace with their fellows; which we hope now verily, by God's grace, that all parties will do, that have care either of their consciences with God, or of their credit with good men; seeing the infinite damages and scandals that do ensue of the contrary. Christ Jesus grant it, and preserve you ever. Rome, this 14th of September, 1602.

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[1] [It is clear from the whole of the foregoing statement, that Persons was solicitous to avert the condemnation of his own book. The pope, however, felt the impropriety of any exception: and when the breve was published, *all* books, containing criminatory statements *against either party*, were equally condemned.—*T.*]

Breve of Clement VIII. in favour of the Appellants. Octob. 5, 1602.

[MS. copy in my possession.]

Dilecto filio magistro Georgio Blackwello nostro et sedis apostolicæ notario, regni Angliæ archipresbytero,

Clemens PP. VIII.

Dilecte fili, salutem et apostolicam benedictionem. Venerunt nuper ad nos nonnulli sacerdotes Angli, qui de gravaminibus sibi à te illatis vehementer conquesti sunt, ac multò antè ad nos et sedem apostolicam appellarant; quibus auditis, et diligenter, quæ pro utrâque parte faciunt, consideratis, nos ante omnia te monendum esse consuimus, ut authoritate, à nobis et apostolicâ sede tibi concessâ, cautè et prudenter utaris; neque facultates tuas excedas, ut visus fuisti quibusdam in rebus excessisse. Nam jurisdictionem quidem habere te volumus in omnes Angliæ sacerdotes, juxta formam, in literis deputationis tuæ in archipresbyterum, à bonæ memoriæ Henrico cardinale Cajetano tibi hactenus præscriptam, et in casibus in iisdem literis contentis tantùm, nullam tamen volumus te exercere potestatem in presbyteros, qui seminariorum alumni non fuerunt, aut in laicos: neque facultatem tibi competere infligendi censuras, aut statuta condendi; neque contra presbyteros appellantes, qui ad Romanam curiam venerunt, procedendi, nisi regni Angliæ protectore, nunc et pro tempore existente, priùs consulto, et de omnibus certiore facto, ejusque sententiâ expectatâ; neque auferendi, vel suspendendi facultates à sede apostolicâ vel aliis superioribus, quovis modo, certis presbyteris, qui ad nos appellarunt, concessas, nisi de consensu et mandato ejusdem protectoris; neque eosdem presbyteros de unâ in aliam residentiam, nisi ex causâ, transferendi; quas quidem facultates iidem presbyteri appellantes sibi antea concessas, causâ et occasione præsentis schismatis, rebellionis, et inobedentiæ, nunquam amiserunt, prout nec eos illas amisisse, quatenus opus sit, per hasce nostras literas declaramus.[1]

Atque ut tu, sine ullâ cujusquam offensione, ac majore cum animorum quiete, et omnium pace et concordiâ, officio tuo fungaris, authoritate apostolicâ, tenore præsentium, tibi in virtute sanctæ obedientiæ mandamus, ut nulla negotia ad officium tuum spectantia expedias, communices, aut tractes cum provinciali societatis Jesu, vel aliis religiosis ejusdem societatis, in Angliâ existentibus; ne scilicet novæ

[1] [An attempt had been made, but in vain, to give to this clause the appearance of restoring faculties, which had been legally withdrawn; and, at the same time, to exclude Watson, Clarke, and Bluet, from its operation:—"An restituendæ sint facultates omnibus promiscuè, præsertim Watsono, Clarko, Bluetto, qui magis publicè cum hæreticis tractarunt, et scandalosè se gesserunt; et an non priùs profiteri tenebuntur, se parituros huic suæ sanctitatis decretoriæ decisioni?" Gradwell MS. 216.—*T.*]

discordiæ et contentionis inter eos et presbyteros appellantes occasio præbeatur: ac propterea instructionem tibi à dicto Henrico cardinale Cajetano super hac re traditam, pari authorite per præsentes penitùs tollimus et abrogamus. Insuper tibi præcipimus, ne de ecclesiæ Anglicanæ administratione et regimine, vel de rebus ad dictum regimen et officium tuum pertinentibus, per literas, vel interpositam personam, vel alio quovis modo cum religiosis ejusdem societatis in Romanâ curiâ, vel alibi ubicunque commorantibus, agas; sed omnia ad nos, et Romanum pontificem, aut ad protectorem pro tempore existentem referas. Non quòd nos aliquid sinistri, aut mali, de iisdem religiosis suspicamur, quos scimus sincero pietatis zelo duci, et quæ Dei sunt verè quærere; sed quòd, pro pace et quiete inter catholicos in eo regno tuendâ, sic convenire judicamus: quod et iidem religiosi societatis verum esse, atque expedire censuerunt.[1] Licitum tamen sit rectoribus collegiorum seu seminariorum ejusdem societatis, alumnis, in eorum recessu, dare literas testimoniales et commendatitias, tibi et pro tempore existenti archipresbytero directas, juxta formam à protectore præscribendam: ac etiam integrum sit dictis religiosis in Angliâ commorantibus eosdem alumnos in eorum accessu, fovere, dirigere, ac adjuvare.

Simul atque verò contigerit, aliquos ex modernis assistentibus deficere, similiter tibi mandamus, ut tres ex presbyteris appellantibus in eorum locum successivè, prout eos deficere contigerit, substituas; quorum operâ in officii tui negotiis utaris. Monemus etiam, ut eleemosynas, quæ quotannis ex largitione fidelium copiosè admodum, ut accepimus, colliguntur, personis indigentibus, ac præsertim iis qui pro fide catholicâ in carcere detinentur, largè et fideliter distribuas; utque appellationibus ad nos et sedem apostolicam interpositis, in casibus quibus de jure deferendum erit, deferas: Quæ quidem appellationes ad protectorem, nunc et pro tempore existentem, devolvantur.

Cæterùm, ut omnis hujus controversiæ memoria penitùs aboleatur, eâdem authoritate damnamus et prohibemus omnes libros, ubicunque impressos, in quibus aliquid continetur contra institutum societatis Jesu, seu contra privatas illius personas, et qui etiam in alterutram partem criminosi, seu quovis modo injuriosi sunt; illosque ab omnibus damnari, prohiberi, et interdici mandamus. Ac insuper omnibus et singulis sive laicis, sive clericis secularibus, aut cujusvis ordinis ac instituti regularibus, et nominatim ipsis presbyteris appellantibus, et religiosis societatis Jesu, aliisque quibuscunque ejusdem regni Angliæ, sive

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[1] [Blackwell's agents requested the pope to say that the fathers of the society had *petitioned* to be relieved from the duty of advising the archpriest:—"An non expediat illud nominatim exprimere (saltem per parenthesim aliquam), patres societatis *petiisse* ut tolleretur clausula de ipsis consulendis" (Gradwell MS. 215).—This, however, was refused.—*T.*]

in eodem regno, sive extra illud existentibus, sub amissionis omnium facultatum, à sede apostolicâ, vel aliis superioribus, quovis modo, ipsis, ut præfertur, concessarum, necnon excommunicationis, ipso facto absque aliâ declaratione incurrendæ, pœnis, interdicimus et prohibemus, ne libros ullos pro alterutrâ parte in posterum edant, nisi priùs obtentâ protectoris similiter, nunc et pro tempore existentis, approbatione et licentiâ. Quicunque verò aliquod genus librorum, literarum, aut tractatuum, in quibus alicujus viri catholici fama violari poterit in posterum, aut aliquando fuerit violata, aut ex quibus excitari possent veteres, aut novæ contentiones; vel quæcunque alia scripta contumeliosa, ex quibus odium, dissidiumve inter partes, quovis modo, renovari posset, communicaverint, seu penes se retinuerint, vel evulgaverint, aut aliquid de hac controversiâ publicè vel privatim scripserint, defendendo vel impugnando unam vel alteram partem, aut personas aliquas; vel denique, qui cum hæreticis, in præjudicium catholicorum, quovis prætextu, vel causâ, participaverint, aut communicaverint, eos, in supradictis omnibus et singulis casibus, iisdem amissionis facultatum suarum, necnon excommunicationis, ipso facto, ut præfertur, incurrendæ, pœnis volumus subjacere.

Et quamvis ex iis, quæ pro utrâque parte audivimus, longè plura scribere ad te poteramus, tamen, cùm te mentem nostram, ex his quæ diximus, intelligere posse arbitremur, paucis contenti fuimus: ac solummodò te, ac omnes tam religiosos, quàm presbyteros sæculares quoscunque, et eos qui ad nos appellarunt, hortamur in Domino, ut communi privatæque inter vos paci ac concordiæ studeatis, ac idipsum invicem sentiatis, non alta sapientes, sed humilibus consentientes. Nam si evangelicam prædicationem in charitate Christi suscepistis, cur evangelicam pacem in eâdem charitate non sectamini? Charitas omnia suffert; non irritatur, non æmulatur. Charitas docet vos inimicos diligere; quantò magis amicos et socios fidei ac laborum? Itaque vos per viscera misericordiæ Dei et Christi obsecramus, ut diligatis invicem; nemini detis ullam offensionem; nulli malum pro malo reddatis, ut non vituperetur ministerium vestrum, sed benefaciatis omnibus, providentes bonum, non solùm coram Deo, sed etiam coram hominibus, et, quod ex vobis est, pacem cum omnibus habentes; ut fructum, quem laboribus vestris, in summis periculis et tribulationibus quæritis, et nos cum universâ ecclesiâ toto animo expectamus, tandem, adjuvante Domino, qui est vera pax et charitas, cum animi vestri exultatione referatis. Datum Romæ, apud S. Marcum, sub annulo piscatoris, die 5 Octobris, 1602, pontificatûs nostri 11.

M. Vestrius Barbianus.

No. XXXV.—(*Referred to at page 55.*)

*** *A Proclamation against Jesuits and others. Nov. 5*, 1602.

[Rymer, xvi. 473.]

As the clemency wherewith we have ever found our heart possessed towards our subjects of all sorts, and our desire to avoid all occasions to draw blood, though never so justly grounded upon the rules of policy and vigour of our laws, have been a great cause that, of late years, we have used greater forbearance from the execution of some ordinances, established, by advice of our parliament, for the conservation of the true religion now professed in our kingdoms, and for the resisting of all disturbers and corrupters of the same (especially from foreign parts), and the receivers and harbourers of them, than the just consideration of the safety of our estate may well endure, or the examples of some other princes, where one form of religion hath ever been only allowed, do regularly approve; so do we truly confess that our hope was, that those Romish priests, who were sent into this realm by foreign authority to seduce our people from their affection to religion, and so, by consequence, from the constancy of their obedience to us, having felt for a time the severity of our laws formerly inflicted, would either by our clemency have been moved, or out of their own judgment have learned, to forbear to provoke us to any sharper course of proceeding, and not have so notoriously abused our mercy as they have done: For whilst we, in our princely commiseration, and pity of their seduced blindness, held this so mild and merciful hand over them, [they] in the mean time, greatly forgetting our patience and lenity, have sought, like unfaithful subjects, the utter ruin both of us and our kingdom, to the uttermost of their abilities.

It is apparent to the world with how great malice of late our kingdom of Ireland hath been invaded by the king of Spain, and how Don Giovan,[1] his chief commander, published a warrant from the see of Rome to deprive us of our crown, and to proclaim his master lord of the same; the Spaniards themselves having not only declared, but afterwards bitterly complained, in their miseries and distresses, that the secular priests and jesuits have both of them invited the king their master to that unfortunate enterprise, by abusing him grossly by reporting our forces to be so contemptible, and their own party so powerful, as the conquest of that realm was most assured. And that we might not conceive any better hopes of them hereafter, it is, in like sort, made manifest to the greatest part of Europe, as we suppose, by their own books lately published, that they have already very maliciously and wickedly combined themselves together, in this our realm,

[1] Don Juan D'Aguilar.

for the advancement of our enemies, the perverting our subjects, and, as much as in them lieth, the subversion of our estate, in that almost all the secular priests, by yielding their obedience to a new kind of subordination among them, have in effect subjected themselves to be wholly directed by the jesuits (men altogether alienated from their true allegiance to us, and devoted with all their might to the king of Spain), whereby both the one sort and the other so linked together, not mindful of their duties to God, to us their lawful sovereign, and to our kingdom their native country, are become most dangerous, and more seditious, if it may be, than at any time heretofore; being grown to such a height of impiety as that they freely, in their late treatises, profess that our subjects are bound to fight against us, and to join their forces with any enemy the pope shall send, to subdue us and our dominions, under pretence of restoring the Roman religion within our kingdoms. Besides, such is their pride and presumption, as that they thrust themselves into all the affairs of our estate, adventuring, in their writings and speeches, to dispose of our kingdoms and crown at their pleasures. If any of their own sort, being of a milder temper, as moved in conscience, do but seem to acknowledge the lenity of our proceedings and government, it is a sufficient cause of their hatred and revenge, to pursue and prosecute them as their enemies: and lest the generation of those wickedly disposed persons should, in time, be rooted out and decay, they make a usual market of transporting the youth of our realm unto foreign seminaries, thereby to corrupt the best families, and to hatch up a succeeding brood like to themselves, that, by libelling, treachery, and all kinds of traitorous practices, they may still seek and endeavour to perturb and molest us.

And whereas, of late, much contention and controversy hath arisen between the jesuits and secular priests combined with them, on the one part, and certain of the secular priests dissenting from them in divers points, on the other part, thereby a great difference of offence against us and our state, betwixt one and the other sect, hath manifestly appeared; the jesuits and the secular priests, their adherents, seeking and practising by their continual plots and designs, not only to stir up foreign princes against us, to the invasion and conquest of our kingdom, but also even to murder our person; the other secular priests not only protesting against the same, as a thing most wicked, detestable, and damnable, but also offering themselves, in their writings and speeches, to be the first that shall discover such traitorous intentions against us and our state, and to be the foremost by arms and all other means to suppress it,—so as it is plain that the treason, which [is] locked in the hearts of the jesuits and their adherents, is fraughted with much more violent malice, perils, and poison, both against us and

our state, than that disloyalty and disobedience, which is found in the other secular priests, that are opposite therein unto them: In which respect although we have so conceived of them, and that we could have been well pleased that the same should farther have appeared, in distinguishing betwixt them, by the execution of our laws, yet such is likewise their carriage otherwise towards us, as we may not (according to our natural disposition, ready at all times to apprehend the least cause to shew mercy) any longer permit it, with the honour of our state, good of our subjects, and safety of our kingdom: for it is evident that, howsoever they be at variance with the jesuits and that faction, they concur notwithstanding and agree together in apparent disobedience and disloyalty against us, masking themselves under the vizard of pretended conscience (a suggestion of all other the most perilous), thereby to steal away the hearts especially of simple and common subjects from us their sovereign; since, under colour thereof, they labour day and night to win and withdraw them from their sound and due obedience both to us and our laws, and to unite and knit them to our mortal enemy the pope; increasing thereby his numbers, and diminishing ours,—a matter most dangerous to our state, and not to be endured in the rule and policy of any well governed commonwealth;—the same our enemy having had, as a temporal prince, his banner in the field, and still continuing his warlike stratagems against us.

Furthermore, we cannot conjecture, but do wonder, upon what grounds they proceed (except it be our sufferance and benignity, which is greatly neglected by them), in that they carry themselves with so great and insolent animosity, as they do almost insinuate thereby into the minds of all sorts of people (as well the good that grieve at it, as the bad that thirst after it), that we have some purpose to grant a toleration of two religions within our realm, where God (we thank him for it, who seeth into the secret corners of all hearts) doth not only know our own innocency from such imagination, but how far it hath been from any about us once to offer to our ears the persuasion of such a course, as would not only disturb the peace of the church, but bring this our state into confusion.

And to the further aggravating of this their audacious boldness, we find that their said conceit of a toleration is accompanied with very great liberty and intolerable presumption, in that they dare adventure to walk in the streets at noon days, to resort to prisons publicly, and execute their functions in contempt of our laws, never ceasing, the one side as well as the other, by these and many more their intolerable proceedings, to waken our justice, which, for the respect before mentioned, hath lain in a slumber;—where, in all good policy, it had been their parts (if ever), by a far contrary course, to have prescribed to

themselves the strictest rules and cautions of giving any such notorious scandals to so notable clemency, never moved but by constraint to think upon any severity: From the which our said mild and merciful connivency toward such unthankful and considerate *(inconsiderate?)* persons, we find this further mischief proceeding, that some other natures, apt to innovation and affected much to their own opinions, have broken forth, on the other side, into factious invectives in print against our present government, whereunto they repute such remissness, as if no care were had by any but a few of themselves, to preserve religion; of which pamphlets, or any other to come forth in like kind, as we would quickly make the authors (if they were laid open) to feel the weight of our indignation, in presuming to take upon them to censure our government, according to their vain conceits, whereby they both injure our innocence, and scandalise many other good and zealous persons, which are free from their unquiet humours, though opposite to the adverse party.

So, to avoid, in some sort, all these inconveniences, mischiefs, murmurings, and heart-burnings in this realm (the government whereof hath been, and is, as well in temporal as ecclesiastical things, most firmly established by general consent in parliament), we have thought necessary to give some general notice to our servants and officers, put in trust in our several counties, for the government of our people, how much we mislike it, that many of them, conceiving more of this last cessation of justice than there was cause, have been so remiss in preventing the resort of secular priests and jesuits into places where they have authority, as they have seldom made searches for them, or taken pains in apprehending them, as in former times was used to be done, and as the laws of the realm do require:

And therefore we have resolved to publish this our admonition and commandment, whereby we first require and charge all jesuits and secular priests, combined together as is before expressed, who are at liberty within this our realm (by whose sole act of their very coming into this kingdom they are within the danger of our laws), that they do forthwith depart out of our dominions and territories, and not, by their abode any longer, provoke us to extend the rigour of our laws upon them; and that the other sort also of the secular priests that are at liberty, and in some things opposite unto the jesuits, do likewise, in the same respect, depart out of our dominions and territories, betwixt this and the first of January next ensuing, except such of them as shall, in the meantime, present themselves to some of the lords or others of our privy council, to our president of Wales and York, or to the bishops of the diocese, and, before them acknowledging sincerely their duty and allegiance unto us, shall submit themselves to our mercy;

with whom we will then (upon certificate from the president and bishop, which we require to be sent up to our council, within twenty days after such submission) take such further order, as shall be thought by us to be most meet and convenient.

Next, we do warn and command both all those who shall hereupon depart, as also all other Romish priests, be they secular or religious, as well jesuits as of any other order (being our subjects), now already out of our realm, that they presume not to return into our kingdom, upon any pretence whatsoever.

For such purpose also, we do hereby give notice to all our ministers, to whom the administration of justice is committed, that, if the jesuits, and secular priests combined with them, shall not, within thirty days, and the other sort of secular priests shall not, before the first of February (except as before excepted), after this be published within this our realm, repair to some known port, and there embark themselves for foreign countries, then we leave them, their receivers, relievers, and maintainers, to be dealt and proceeded with, according to the power and justice of our laws, whensoever they shall be found within the same.

And, to the end they may be the sooner avoided from hence, and so our realm free from the danger and infection, which is derived from their continual working upon men's consciences, we do hereby strictly command and charge all our lieutenants, deputy lieutenants, commissioners, justices of the peace, mayors, sheriffs, bailiffs, and all other our officers whatsoever, that they be from henceforth circumspect and vigilant, each of them in their several charge, to search all places suspected, or whereof they shall have any information given them, and to apprehend all such jesuits and secular priests, together with their receivers, relievers, and maintainers, equally subject to the penalty of our laws, and to advertise our council of their proceedings, to the end we may be informed of the care and diligence, which shall be used in that behalf, as they will answer the contrary at their peril.

Witness ourself, at Westminster, the fifth of November, in the forty-fourth year of our reign, 1602.

No. XXXVI.—(*Referred to at page 56.*)

A Protestation of Allegiance made by thirteen Missioners to Queen Elizabeth, January 31, 1603.

[MS. belonging to the Dean and Chapter.]

Whereas it hath pleased our dread sovereign lady to take some notice of the faith and loyalty of us, her natural-born subjects, secular priests (as it appeareth in the late proclamation), and, of her prince-like clemency, to give a sufficient earnest of some merciful favour towards us (being all subject, by the laws of the realm, to death, by our

return into the country after our taking the order of priesthood, since the first year of her majesty's reign), and only to demand of us a true profession of our allegiance, thereby to be assured of our fidelity to her majesty's person, crown, estate, and dignity, we whose names are underwritten, in most humble wise prostrate at her majesty's feet, do acknowledge ourselves infinitely bound unto her majesty therefore, and are most willing to give such assurance and satisfaction in this point, as any catholic priests can, or ought to give unto their sovereigns.

First, therefore, we acknowledge and confess the queen's majesty to have as full authority, power, and sovereignty over us, and over all the subjects of the realm, as any her highness's predecessors ever had. And further, we protest that we are most willing and ready to obey her in all cases and respects, as far forth as ever christian priests, within this realm, or in any other christian country, were bound, by the law of God and christian religion, to obey their temporal prince, —as, to pay tribute and all other regal duties unto her highness, and to obey her laws and magistrates in all civil causes, to pray unto God for her prosperous and peaceful reign in this life, according to his blessed will, and that she may hereafter attain everlasting bliss in the life to come. And this our acknowledgment we think to be so grounded upon the word of God, as that no authority, no cause, or pretence of cause, can or ought, upon any occasion, to be a sufficient warrant, more unto us than to any protestant, to disobey her majesty in any civil or temporal matter.

Secondly, whereas, for these many years past, divers conspiracies against her majesty's person and estate, and sundry forcible attempts for invading and conquering her dominions, have been made, under we know not what pretences and intendments of restoring catholic religion by the sword (a course most strange in the world, and undertaken peculiarly and solely against her majesty and her kingdoms, among other princes departed from the religion and obedience of the see apostolic, no less than she), by reason of which violent enterprizes, her majesty, otherwise of singular clemency towards her subjects, hath been greatly moved to ordain and execute severer laws against catholics (which, by reason of their union with the see apostolic in faith and religion, were easily supposed to favour these conspiracies and invasions), than, perhaps, had ever been enacted, or thought upon, if such hostilities and wars had never been undertaken, we, to assure her majesty of our faithful loyalty also in this particular cause, do sincerely protest, and, by this our public fact, make known to all the christian world, that, in these cases of conspiracies, of practising her majesty's death, of invasions, and of whatsoever forcible attempts,

which hereafter may be made by any foreign prelate, prince, or potentate whatsoever, either jointly or severally, for the disturbance or subversion of her majesty's person, estate, realms, or dominions, under colour, shew, pretence, or intendment of restoring the catholic religion in England or Ireland, we will defend her majesty's person, estate, realms, and dominions from all such forcible and violent assaults and injuries: And moreover, we will, not only ourselves detect and reveal any conspiracies or plots, which we shall understand to be undertaken by any prelate, prince, or potentate, against her majesty's person or dominions, for any cause whatsoever, as is before expressed, and likewise, to the uttermost of our power, resist them, but also will earnestly persuade, as much as in us lieth, all catholics to do the same.

Thirdly, if, upon any excommunications denounced, or to be denounced, against her majesty, or upon any such conspiracies, invasions, or forcible attempts to be made, as are before expressed, the pope should also excommunicate every one born within her majesty's dominions, that would not forsake the aforesaid defence of her majesty and her realms, and take part with such conspirators or invaders,—in these, and all other such like cases, we do think ourselves, and all the lay catholics born within her majesty's dominions, bound in conscience not to obey this or any such like censure; but will defend our prince, and country; accounting it our duty so to do, and, notwithstanding any authority or any excommunication whatsoever, either denounced, or to be denounced, as is before said, to yield unto her majesty all obedience in temporal causes.

And because nothing is more certain, than that, whilst we endeavour to assure her majesty of our dutiful affection and allegiance, by this our christian and sincere protestation, there will not want such as will condemn and misconstrue our lawful fact, yea, and, by many sinister suggestions and calumnies, discredit our doings with the christian world, but chiefly with the pope's holiness, to the greatest prejudice and harm of our good names and persons, that may be, unless maturely we prevent their endeavours therein, we most humbly beseech her majesty that, in this our recognizing and yielding Cæsar's due unto her, we may also, by her gracious leave, be permitted, for avoiding obloquies and calumnies, to make known by like public act, that, by yielding her right unto her, we depart from no bond of that christian duty, which we owe unto our supreme spiritual pastor.

And therefore we acknowledge and confess the bishop of Rome to be the successor of St. Peter in that see, and to have as ample, and no more, authority or jurisdiction over us and other christians, than had that apostle by the gift and commission of Christ, our Saviour; and that we will obey him so far forth, as we are bound by the laws of God

to do; which, we doubt not but, will stand well with the performance of our duty to our temporal prince, in such sort as we have before professed. For, as we are most ready to spend our blood in the defence of her majesty and our country, so we will rather lose our lives than infringe the lawful authority of Christ's catholic church.

William Bishop.	Robert Drury.
John Colleton.	John Jackson.
John Mush.	Francis Barneby.
Robert Charnock.	Oswald Needham.
John Boseville.	Richard Button.
Anthony Hebourn.	Anthony Champney.
Roger Cadwallader.	

No. XXXVII.—(*Referred to at page* 89).

The Arraignment, and Speech of Robert Barnes. July 3, 1598.

[Original, Stonyhurst MSS. Ang. A. ii. 41.]

The last day of June, being the feast of the commemoration of the glorious apostle St. Paul, I, Robert Barnes, with Jane Wiseman, were brought by writ to the King's Bench bar, where there sat only Justice Fenner; we standing at the bar till our endictments were read against us, the contents whereof was, for hearing sundry masses, [and] relieving and harbouring of one Mr. Hethershall, and one Mr. Jones, two seminary priests, and we were demanded by the clerk of the court whether we were guilty of those felonies or not. I answered, we were guilty of no felony or fact against our prince or country. Then the clerk demanded by whom we would be tried. Hereat I paused, and desired to have longer time to answer; for it concerned my life, and I had no no notice thereof, before seven of the clock that day, and it was a matter of the greatest moment unto me. Then justice Fenner said, if I would stand to my trial, I should not be arraigned at that time, but deferred off, until another time. I answered that, if I put myself upon the jury once, I could not recall it, and therefore desired respite of time. The justice said, it could not be: I must answer, yea or nay. I said I would gladly satisfy his worship's mind; but thus suddenly to put myself upon a jury I was sure to be cast away; for my adversary, Topcliffe, had oftentimes threatened me to pick out a jury that should condemn me; and, therefore, to stand to any such jury I meant it not, considering the simplicity of many juries, which, not well weighing the causes and innocency of catholics coming to that place, how innocent soever, they commonly condemn them. But, to satisfy his worship's mind, I would put myself upon the judgment of my Lord Chief Justice, Mr. Attorney General, Mr. Solicitor, Mr. Bacon, and Mr. Recorder of London, before whom my cause hath been often discussed, and I cleared by them, many times, of all Mr. Topcliffe's inventions against me: and, if they

thought me culpable of this crime, and gave fidelity to my accuser, I would acknowledge the endictment, and discharge the jury. This, Mr. justice Fenner said, must not be permitted; for my innocency or guiltiness must not lie upon their necks, but, according to the law, I must put myself upon God and the country. I answered, I was loath to offend his worship; and so as, if Mr. Attorney might be there, who hath heard my cause from the beginning to the end, and knoweth my innocency, I would stand to any jury whatsoever. He said, Mr. Attorney would and must be there, to plead for the queen, and, therefore, he said, I must not think that he would speak any thing in my justification. I said, I requested him not to speak for me, but for her majesty; and let him speak what he could against me, so as he himself plead for the queen; and let my adversary, Mr. Topcliffe, inform what he could, but not be permitted to plead against me: for he always useth railing and outrageous words; and Mr. Attorney knowing my cause, I will but charge him, upon his conscience, to manifest a truth in that he knoweth; and, so as he might be there, I said, I would be tried by God and my country. Hereupon, the justice said, I warrant you he shall and will be here.

Upon Monday following, I was brought to my arraignment, where it was said that I was endicted, the last of June, for the causes before said; and being demanded by whom I would be tried, I put myself upon God and the country. Therefore, now again I was to be demanded to hold up my hand, and asked if I were guilty, or not guilty, of those felonies laid unto my charge. I answered, Not guilty of any felony, treason, or crime against my prince and country, as I took God in heaven to witness. Then I was asked by whom I would be tried. I asked where Mr. Attorney was; for I was promised he should be there, and thereupon I had put myself upon God and the country. My Lord said, he could not be there; for I myself knew his state to be such, as he came not to the hall, since the death of his wife, nor would not that term. I said I was right sorry for his sorrow; but he was well in body, and might be there, according as I was promised he should; for he being away which knew my innocency, and could, and had cleared me of many of Mr. Topcliffe's bad practices, my life were but cast away upon a picked out jury, which Mr. Topcliffe had threatened to do. Mr. Topcliffe said, "dost thou know that he is so well as to be here? He can speak nothing for thee; for he must not but speak for the queen." I answered, I would so desire that he should plead against me what he can; but yet I would charge him, in conscience, to testify for me what he knoweth, and hath been confessed unto him to be true: and this was for the queen, and not against her; for she sought not the life of any subject wrongfully, but, according to her mercy, she measured all: and, there-

fore, he not being here, I said my life was but cast away, to put myself upon his picked out jury. Then my Lord said, he himself had so provided, that I had as honest a jury, picked out by himself, as ever went upon any man in that place; and that I should have all favour, either to challenge any of them, or to speak in my own defence what I could; and I should have audience. Then the jury was called, and I willed to look upon them, and to challenge, if I misliked any. I answered, I would challenge none, being of his lordship's appointment;—for I knew my life was gone (notwithstanding my innocency, which I protested was guiltless of any crime), Mr. Attorney being away.

The jury being called, the witnesses for the queen were called in, and sworn to give true evidence between the queen and the party. The witness for the queen was only Blackwell, which, being sworn, said that he brought one Jones, alias Buckly, to the new gatehouse, where, he said, Jones did lie two nights with me, and said two masses. Here my Lord asked him, in whose chamber? He said, in Mrs. Bellamy's chamber. Then he was asked, who was there, and heard the masses? He said, my mistress, Mrs. Wiseman, Mrs. Bellamy, two of Mrs. Bellamy's daughters, Stannardine Passy, Mr. Barnes, who served him at the altar, and himself at them both: and, at Mr. Buckly's departure, Mr. Barnes did give unto him a piece of gold. Here I asked him what gold it was? He said, a French crown; and how, "in summer following, I came unto Mr. Barnes, to borrow a roan gelding for this Mr. Buckly. The lending of this gelding Mr. Barnes denied (*i. e. refused*); and then my mistress, Mrs. Wiseman, gave me an angel to give him, to hire him a gelding; and Mr. Barnes did give her five shillings thereof again, whereby they both relieved him." Whereunto I protested, upon my faith, it was all most false, and desired my Lord that I might ask the priest if he were one, and I would charge him, upon his priesthood, to tell a truth. My Lord said he was dispensed withal, to swear any falsehood; for himself had a letter written by Doctor Barret, wherein he did dispense with any false oath. I told my Lord, I would charge him, upon his soul, not to equivocate, but to tell a plain truth: and so, turning unto him, I charged him, if that he were a priest, to tell a truth, whether ever he said mass before me and us all, or ever I gave him any piece of gold in my life. Then he said, "my Lord, I beseech you let me speak for the innocency of this gentleman, before whom, I protest unto you, upon my priesthood, I never said any mass, nor ever had any gold or silver of him in my life; and this fellow Blackwell did not know me, nor any of them knew me, at that time when I came there, to be a priest. I say it upon my priesthood." Hereat my Lord said, you are dispensed withal to swear any falsehood. Mr. Buckly said, my Lord,

God himself cannot dispense with a false oath; for it is against himself, which he cannot be. My Lord said, you must not speak herein, for you are a party in the cause. He said, my Lord I speak in defence of their innocency; and I am not arraigned for this cause; and I protest unto you I will answer unto your lordship a simple truth. My Lord said, you shall answer for yourself anon; and then Blackwell was willed to go forward.

Then Mr. Topcliffe said that Stannardine Passy had testified all this under his own hand, and how now, when he should come to testify for the queen, he had hid himself, and how your lordship knoweth I have had a warrant these four days to apprehend him; and I have sought him, but cannot find him. Then Passy was called, and his bail to bring him in; but none appeared. Then my lord said, it is no matter: you have his confession in writing: let that be read. Then it was read, and therein he said he saw the priest in a silk vestment, which then was pulled out, and shewed to me by Topcliffe. I protested I knew it not. Then Blackwell said, it was the same that Mr. Jones did wear, and it was brought thither by one Henry Foster, servant to Mr. William Wiseman, his mistress's son; and there Topcliffe drew out breads and divers other things, and asked if I knew them. I said I would answer that anon: it belonged not to my endictment. Then it was read further, how Stannardine Passy did see the priest to hold a thing over his head; and then we all did bow down ourselves. Then my lord said, "How say you now to this? This is his own confession, and his hand is thereunto." First, I denied: it was not his hand: and then it was shewed me, and I affirmed it was none of his writing. Then Mr. Solicitor said, "Upon my credit, he set his hand thereunto, and confessed it to be his, before me:" and, indeed, the name was written in another hand than the examination, and Mr. Solicitor's hand thereunto. I said, Passy had denied the same again, before Mr. Attorney, who could justify it, if he were there, and also Mr. Wade, and Mrs. Bellamy, who heard him to deny it: and he told unto Mr. Wade that he did it, by reason of the threats of Mr. Topcliffe, and for fear. Hereupon my lord and justice Fenner said that, if one confess a thing, and after, upon a deeper consition, would deny it again, it were not to be permitted; for then no man should be condemned. I said it were done by force of threatening, or for fear of his own life threatened; therefore, it was of no validity by law: and that Passy had such cause of fear, I said, I would manifestly prove; "for that Mr. Topcliffe had proffered unto one Eversly, a goldsmith, a hundred pounds, to accuse Passy of high-treason, which Topcliffe assured Eversly he would prove: and, if he would accuse him thereof, he would give unto the same Eversly the promised hundred

pounds: And further, the said Eversly should have a warrant, to go unto Stannardine Passy, when he would; and by this means he should carry letters for him to Passy's render, which he should find to be in the gatehouse. All this Eversly voluntarily confessed unto Passy, in Newgate, in the presence of four men, whose hands are here set unto the confession of the said Eversly. The like Mr. Topcliffe did proffer to one Mary Adams, a condemned woman, whom Mr. Topcliffe sent for unto one Mr. Fuller's house, in Warwick Lane, and there proffered her to get her pardon, and to give her £20, to accuse Stannardine Passy for hearing of mass, during the time that he was prisoner in Newgate: and also she should confess that the keeper of Newgate should permit mass to be said there, he knowing thereof: and, farther to accuse Passy, that she had heard him say that he would go into Ireland, and there join with the rebels, and raise a new rebellion. To confirm all this, Mr. Topcliffe promised her the above named promises, and gave her five shillings in silver, saying he gave her the money, to bind her to perform the said accusations before rehearsed: and this she voluntarily confessed, before four several parties, and set her hand and their names hereunto: both which certificates are here, for your lordship to consider." And I delivering the certificates, my lord would not receive them. Then I said, "my lord, now let it rest in your lordship's censure, whether he was in danger of his life, by threatenings and this false dealing, yea or nay; and, therefore, his confession, being forced by threats, and for the saving of his own life, especially having denied it before Mr. Attorney, Mr. Wade, and Mrs. Bellamy, was of no force." So Blackwell was commanded to go forward to the other endictment.

Then Blackwell said that he brought one Mr. Hethershall, a priest, unto the gatehouse, who said two masses there, and went his way. This Mr. Hethershall, he said, was a prisoner in St. Catherine's, and, going abroad with his keeper, he met with him upon the Tower Hill. Here I asked him how he knew Mr. Hethershall to be a priest? He said, by that oath he had taken, Hethershall had reconciled himself before. Then I said, he was falsely perjured; for he swore, before Mr. Attorney, Mr. Solicitor, Mr. Bacon, and Mr. Recorder of London, that Mr. Jones had reconciled him, upon the day of St. Luke, before he brought the said Mr. Jones unto the gatehouse; and so he protested unto their worships he told me: and now, contrary unto that, he here presently swore that Mr. Hethershall reconciled him, which is a plain contradiction, and, therefore, he is perjured, and no credit to be given unto him. My lord said, he did but mistake the name of the men. I said, "My good lord, he sweareth both to be true; and, therefore, my life depending thereon, his oath must be taken most strictly against himself. Then Mr. Soli-

citor said, they both reconciled him. I said, that could not be; for two never reconciled any, unless it be upon new causes, which he allegeth none: and I willed the jury to mark his perjury. From the Tower Hill, he said he brought him unto the gatehouse, where he saw him to say the masses. I answered, I never saw Blackwell, nor he me in his life, at any mass, as I took God unto witness: and as for Mr. Hethershall, he never said any mass there. My lord said that Mrs. Wiseman and Mrs. Bellamy had confessed, that we would have had the said Hethershall to have said mass, and, at one time, as they confessed, there wanted an altar-stone; and so he could not say any mass; and, therefore, we knew thereby, by their confessions, that he was a priest, and came with intention to have said a mass, which, he saith, was his function: and so we, relieving him, offended against the statute. I said, "I nor any of us ever did relieve him; but only supposed him to have been a priest. But, if he had said mass, I would confess it unto your lordship; for it is without the compass of the statute; for the statute of the twenty-seventh of the queen is, that whosoever, after forty days of the ending of the said parliament, shall go beyond sea, and there be made priest, or any made priest beyond sea since the first of this my sovereign lady, and shall come in, abide, and remain within the land, after the forty days, shall be accounted a traitor, and the receivers as in state of felony. This Mr. Hethershall (by the report of himself, and also of Nicholas Blackwell) was taken at Flushing, sent over violently, committed presently, by the lords of the council, to prison to St. Catherine's, after, by sir Thomas Heneage and other, under their warrants, had liberty to go with his keeper abroad, to get his relief, which he usually did, and returned to his prison. He, coming with this keeper to the gatehouse, and with this lewd fellow, he was still in prison; and, therefore, I demurred in law, if he were a traitor. Beside, we, never relieving him, nor hearing or seeing him to do any priestly function, were in no danger of law." My lord said, that Blackwell receiving him at the Tower-Hill, his keeper going away, he was then at his own liberty in England, and so a traitor, and we, for our intention to hear mass, [and] receiving him, in state of felony. I said, his keeper came with him, and staid in the house beneath; but if his keeper did but only deliver him in charge unto Blackwell, as Blackwell said he received him of him, his keeper made Blackwell his guardian until his return, and so he [was] a continual prisoner, having leave from sir Thos. Heneage and other of the council, to go abroad to get his maintenance, for he had none of her majesty's allowance. My lord said, he was committed close prisoner: and Mr. Topcliffe drew forth his first commitment, which was, to keep him close; and bade me to shew the other warrant, if I could, for this was extant in

court. I said, it was not in my power to shew any warrant of his enlargement: it was a sufficient warrant of itself, I thought, to know that he went usually abroad, and returned at night to the prison again, and his keeper going about always with him: which was a sufficient warrant unto any man; for the keeper durst not to do it, without a sufficient warrant for his own discharge. "But, my lord, we neither had him to say mass, nor to do any other priestly function, nor yet relieved him; wherefore, this cannot be imputed a crime unto us." "That," my lord said, "must be put to the consideration of the jury." Then Mr. Topcliffe said, "This Hethershall, my lord, I had in Bridewell, for a Book of Succession, wherein he would have had the puppet of Spain to have had right unto her majesty's crown:"[1]—and shewed forth the book, and asked me if I did not know the same? I asked him what he meant, to lay the book unto my charge, and to induce the jury to think it was mine? for, I protested, I never saw the book in my life; * * * * and so desired my lord to give me leave to declare unto his lordship and the jury my innocency, which I would do by lawful testimonies of witnesses; craving pardon of his lordship, and favour that I might not be interrupted, during the time of my speech, for that my memory was much weakened, through his hard usage of me in prison. And so, having leave, I began as followeth:—

The first original of all my troubles proceeded from Anne Bellamy, the daughter of Richard Bellamy, of Uxenden, in the county of Middlesex, who, about the twenty-sixth day of January last past was six years, was committed to the gatehouse prisoner, by my late lord of London;[2] where she lay not the space of six weeks, but was found in most dishonest order, and, before six weeks more, being with child, was delivered by Mr. Topcliffe's means, upon bail, not to depart above one mile from the city: at which time, she lay at the house of one Mr. Basforde, in Holborn, until midsummer day following; being, in the meantime, practised withal, by Mr. Topcliffe and Nicholas Jones, for the apprehending of one Mr. Southwell, one of the society of Jesus, upon promise (as she affirmeth, in a letter to her mother) from some of the council, and also a letter under Mr. Topcliffe's hand, that none should be mo-

[1] [Yet Persons, in his Briefe Apologie (187), boasting of the merits of this work, and referring to those who had described it as an "exasperating book," declares that they had thereby "shewn marvellous rancour, and corrupt affection, and no judgment or desire of truth at all;" and assures his readers "that it was never heard of in England that any special persecution was made for it." Persons seems to have been contented, that, however individuals might suffer, no "special" *general* "persecution" had been avowedly raised in consequence of this publication.—*T.*]

[2] Walter Copeland.

lested in the house where he should be taken; upon which promise Mr. Southwell was apprehended. The means of his apprehension was this, as is confessed, in the examination of Thomas Bellamy, unto Mr. Topcliffe:—One Thomas Bellamy, a brother of hers, upon midsummer day, coming to London, and going to see his sister, she was importunate with him to have him go with her to a seminary priest, which, she told him, did lie hard by; terming him by the name of a young man, giving great praise of his virtue and learning, the like whereof she had done unto her two sisters immediately before, desiring them, of all sisterly loves, that, if any such person came unto her parents' house, she might have intelligence thereof, and, notwithstanding any bond to the contrary, she would come thither. Her brother refusing to go with her, and going about his other affairs, which she learned of him to consist most about Fleet-street, in Fleet-street there met with him this Mr. Southwell, who having marks given of him before to note him by, he asked him if his name was not Bellamy, and he yielding thereunto, he told him his mother was his country-woman, and her friends dwelt nigh unto his, and, therefore, he would be gladly acquainted with her; desiring him to shew him that favour, as to stay that night for him, and the next morning he would ride home with him. The time and place being appointed, they took horse together, at ten of the clock, and by twelve came to Uxenden. Mr. Topcliffe being all that day at the court, which was at Greenwich, yet having his horse laid for the nonce, three weeks before (as himself confessed that night at Uxenden Hall), to apprehend Mr. Southwell there, he made such fresh pursuit, as he came to Uxenden, with justice Barnes, before twelve of the clock that night; bringing a letter in his hand, written by the hand of Anne Bellamy, giving him the way to the house, giving him marks to know the house by, and directing him right unto a secret place within the house, where he did apprehend Mr. Southwell,—whom when he had apprehended, he left all the house in quiet, and writ a letter, within three days, to Mrs. Bellamy, that it was her majesty's pleasure that neither she nor any of her household should be molested therefore. But, coming to London, to colour this foul fact, he apprehended Anne Bellamy, and committed her to the gatehouse again, where she remained until the feast of St. James following; at which time, she growing very great with child, and Mr. Topcliffe fearing that this matter would come unto light, to cast a cloak over the same, he caused Nicholas Jones to tell unto his master, Pickering, that she should be carried before the commissioners, to be examined; but, in truth, she was carried to Greenwich, and there married unto Nicholas Jones. After their marriage, Mr. Topcliffe told unto her mother that her majesty would not permit her to go home, but had committed her custody unto

him; and that he would carry her unto a sister of his, called Mrs. Brunell, so as she would lend him two geldings, and apparel her: the which she performing, he carried her unto Somersby, in Lincolnshire, his own house, where she lay three years at his charges; and, at the christmas following, she was delivered of a child. After her deliverance, Mr. Topcliffe broke this unfortunate match unto her mother, saying that she must needs condescend thereunto; for that her majesty was pleased therewith, and the lords of the council knew thereof; and that she must also be a means unto her husband, for the obtaining of his good will to a farm, called Preston, to the value of a hundred marks by year, for they two to dwell in: and although she had married a poor man, yet, he said, in his opinion, an honest man: and whereas he himself had never obtained any thing at her majesty's hands, in recompense of his service, he would now become an importunate beggar for Nicholas Jones, for the good service he had done in apprehending of Southwell,—when he was not at his apprehension, nor any means of his apprehension; but caused his woman at that time to send Mr. Southwell thither, and afterward to give a notice, under her hand, of the secret place where Mr. Southwell was apprehended, lest he should escape his fingers. Mrs. Bellamy declaring this Mr. Topcliffe's proffer unto her husband, he by no means would condescend thereunto, but thought it rather to deserve a punishment than a portion; specially, for that her majesty was abused in her prisoner, his stock stained, his daughter in prison deflowered; and now, to colour this foul fact, to cast her away upon one, who had no other means to maintain her, but, by false suggestions, to cast away other men's lives for their maintenance. He would by no means agree thereunto. The which coming unto Mr. Topcliffe's notice, and not knowing how to disburthen himself of this intolerable charge, [he] caused her to accuse other; promising and assuring them to obtain their livings for them, at her majesty's hands.

Amongst a number, she accused me that I found (*i. e. maintained*), one Birket, a notorious traitor, at her father's house, [and] sent Persons, Howwodd,[1] and Bristowe, that notorious traitor, to her house from my house in Barbican. I said flatly, he lied. He said, I harboured fifty-six priests in my house, as she would justify; he assuring her my living for them both. [Here my lord interrupted me, and asked me, how I could prove that Mr. Topcliffe had promised my living unto them? Unto which I answered, that it hath been justified by two letters, written by Mr. Topcliffe unto one Mr. Hampton, which hath been testified to the lords of the council, and also the same confessed by Jones

[1] [Perhaps Haywood.—*T.*]

himself unto one Atkinson, as shall be proved. And I writ a letter unto that lord, yesterday, to have the warrant for the same Hampton, and one W. Dodd, who could testify the same, and did testify it, within these three days: but the lord refused to read my letter; but they both had and would testify it. Whereat my Lord said, there must be no testimony brought against the enemy, and I was commanded to go forward. Then I said,] The cause whereof she accused me was, that I should pay for the board of one Hall, alias Birket, a seminary priest, at her father's house, about twenty years since. [Hereat Mr. Topcliffe said, that he was the notorious traitor that was in England, and that I went over sea with him.] But now, my Lord, said I, for that this was before any penal law to the contrary, if it had been true (as it hath been denied by twelve persons), yet this would not effect his promise of my living. And, therefore, he caused her further to accuse me, that I should go beyond sea with this Hall (limiting days and times of my going and return, and how we came over lousy, and brought a pair of beads from Dr. Allen to Mrs. Bellamy), and to Dr. Allen, a proclaimed enemy unto the state, thinking hereby to take away my life, and, consequently, my living, for his promised reward. But all this I answered, three years ago, before Mr. Attorney. But, for that Mr. Topcliffe thought her witness was but a single witness, and not sufficient to condemn me, he caused her further to accuse her father, mother, uncle, brothers, sisters, friends, and acquaintance, to the number of twenty-six persons, all examined by Mr. Topcliffe, most of them threatened by Mr. Topcliffe, fourteen of them imprisoned by Mr. Topcliffe, he thinking to win some, by suborning them to confess the same, other, by promise of liberty, to justify it, or else, by threatenings, to enforce other to condescend thereunto (for all this means, my lord, he hath used); and beginneth with her mother, threatening her that, unless she would condescend to that which her daughter had accused her of, he would pick out a jury out of Middlesex, that should condemn her; he would hang her,—reviling her, calling her old ——, old witch, dishonesting her, that * * * *: so as, through his threatening, and hoping to escape, she set her hand unto whatsoever he had set down before. But, contrary to her hope, he committed her close prisoner to the Gatehouse, where she remained not the space of two hours, but she declared all this unto one Mrs. Settle, a minister's wife, which was put unto her for company, who likewise justified this to Mr. Topcliffe's face, in justice Young's house. The day following, I myself was sent for, to be examined before the commissioners, and passing by her window, she flung out a letter unto me, which my keeper took violently from me, and she, seeing that I could not attain to the reading hereof, cried out, and desired me, for God his

sake, to forgive her; saying, how falsely she had accused me, which was through the threats of Mr. Topcliffe, as before I have declared. And this she said in the presence of three of my keepers, which, before divers commissioners, had justified the same. Now, Mr. Topcliffe perceiving his bad juggling displayed, and finding his own error which proceeded of her detainment, he came, the Sunday following, and told her, in the presence of her daughter and divers other, that, if she would but say that I brought Mr. Southwell to her house the first time, he would have no more to do with her, but she should go home; but she protested the contrary, saying Mr. Southwell was never there, before the time of his apprehension. Then he would have had her to have justified that, which she had set her hand unto before, concerning her daughter's confession. But she affirmed it was most false: and therefore, to be revenged, he brought her to that pass, that, if God had not prevented her by death, she had now stood at her majesty's mercy, notwithstanding her most merciful commandment to the contrary.

But, my lord, for that he would have more ways to bring his purpose to pass than one, he and Nicholas Jones came into Hampshire, unto a neighbour's house of mine, one Mr. Garnet, a reverend old blind priest, and apprehended him, and one James Atkinson, a kinsman of his and his servant. These two they carried with them prisoners to Windsor, at which time, the court lay there. There Jones entered into familiarity with Atkinson, and asked him if he knew not me. He said, yes. He asked what kind of house I had; whether it were my fee simple, a gentleman-like house, or not? and, in the end, told him that, if he would but say that I had priests resorting to my house, he would be his friend, and never see him to want: otherwise, he would be his enemy, and never give him over till he brought him to his end; further telling him, that Mr. Topcliffe had begged my living of her majesty for him, and, therefore, said, that, if he would be wise, he might do himself good, shewing him, therewithal, a warrant that Mr. Topcliffe had obtained at the lords, for the searching of my house, and apprehending of me. Atkinson, leading him with fair words, writ a letter unto one Mr. Fletcher, a kinsman of his, willing him to look to himself, and to give warning hereof. This letter he delivering to an acquaintance of his in Windsor, to be carried to Mr. Fletcher, the letter was carried to Mr. Topcliffe, who, reading the same, caused Nicholas Jones to bring Atkinson unto him at ten of the clock at night, Mr. Topcliffe lying in his bed, having his sword drawn lying thereupon. Jones, bringing in Atkinson, commanded him to kneel down at Mr. Topcliffe's bedside, laying paper and ink before him, and commanding him to write what he could say, concerning priests resorting unto Mapledurham, my house. Whereunto he protested he

could say nothing of any such matter. Then Nicholas Jones swore, that, unless he told another tale, he would dash out his brains with his sword; and Mr. Topcliffe swore that, if he would not accuse me, he would chop off his legs with his sword that lay there; he would break his thighs, send him to a place where the plague should devour him (being, at that time, in the city of London), or else where the rats should eat the flesh from his bones. So as, through the threats of these two, he was compelled to set down whatsoever they two would have him to set down, or dictated unto him; which he did with such trembling, that Jones asked him if he were troubled with a quaking ague. All this he confessed with tears, asking God forgiveness for his offence, and me pardon, before the face of three several persons, his fellow-prisoners, under two of whose hands here it is severally for you of the jury to consider of.[1] The third was Mr. Topcliffe's own man, set in the prison to entrap divers therein, to the endangering of their lives. [These two letters I would have delivered unto the jury, but my lord said they must have no letter against the queen, and the parties were not there *viva voce*. I said, they were in prison, and had justified this to be true, before Mr. Solicitor, and Mr. Bacon, who coming into the court, and would have sitten under my lord chief justice's feet, his lordship said he were best be gone; for there was not room for him then. I was bidden to go forward. I said,]

After James Atkinson had set down this forced confession, he was committed to Bridewell, where no man might speak with him, until my apprehension, which was the 5th day of June, 1594, at which time, following my suits in law at this honourable place, I was committed to the King's Bench by Mr. Justice Gawdy, and, the next day, sent for by your lordship, who meeting you in the palace yard, you delivered me to Nicholas Jones, by whom I was carried unto Mr. Topcliffe, who, after examination of these two false accusations of Anne Bellamy and James Atkinson, sent me to the Gatehouse, where I have lain now, four years and more; one year barred from all benefit of air, in my chamber, by reason of Mr. Topcliffe's tyranny, who commanded my chamber window to be nailed up, that I should not look into his yard; and kept me without any fire, a whole winter, in so filthy a place, as my keeper often said he marvelled how I could endure there, for the stench thereof. The tenth day after my commitment, Mr. Topcliffe sent for me, and told me that, if I would voluntarily confess the receiving of this priest, whereof Anne Bellamy and Atkinson had accused me (Mr. Topcliffe, having his hand upon the bible, before Sir Richard Knightly and other, swore that

[1] Garratt Swifte, and Nicholas Gilldisly.

he would charge me with no man, but that he had two sufficient testimonies to prove the same, yet, if I myself would voluntarily acknowledge the receiving of these priests), he would assure me of her majesty's most gracious pardon; and, to induce me thereunto, he shewed me the forced confession of Atkinson, which was to this effect: That this Atkinson, dwelling with one Mr. Garnet, an old priest, which was blind, did write a letter unto me (and, therefore, he said, in his examination, the contents of the letter was well known unto him), which was dictated by the blind man, and was thus:—that I should speak unto one Parker, alias Stanny, a seminary priest, at my house of Mapledurham, that he should be a mean to make an atonement between one Mr. Grey and Mr. Garnet: And there he saw the said Mr. Stanny to dine with me; and he sat at the table with us. Shortly after, he came to know what success his supposed letter had (for that there never was any such letter, here it is, under the hand of Mr. Garnet himself, for you of the jury to consider of); and then he saw not only this Mr. Stanny, but one other, and, not knowing his name, he asked one Michael Thompson what it was; and he said his name was Jetter, a seminary priest too. This Atkinson came the third time, and that was a month before her majesty came to Cowdray, all the rest being within the same year; and then he saw not only the two above-named priests, but he saw one Mr. Curry, a jesuit, and he said mass in a chamber beneath my gallery, and I served at the altar, and they all dined with me. This was the effect of his confession, the which, I told Mr. Topcliffe, all was false; for I was not at Mapledurham of all that year, and, therefore, I would not confess an untruth against myself; for so I should be the author of the shedding my guiltless blood, and God would require it at my own hands. Mr. Topcliffe, seeing that I would not voluntarily confess it, caused Stannardine Passy to take me away, and to lay irons upon me, wherein I lay ten days and nights: after, he sent for me, and threatened to pick out a jury that should condemn me, and that he would hang me up at Mapledurham gates; threatening me also to send me to the Tower, there to be racked, to Bridewell to be tormented; and, going with him from Mr. Attorney's unto my lord Burroughs his house, in the Close, before my lord's house, he threatened to hang me up as high as the trees growing there, so as he would make my head and feet to meet together, but he would enforce me to confess it. [Whereat my lord asked what witness I had hereof. I said Stannardine Passy. Topcliffe said, he had his lordship's warrant, these four days, for to apprehend him; but he would not be found. I said if he were there (as he did me great wrong he was not; for) he could justify this and many other bad actions against me, done by Topcliffe. Then I told how he reviled me, calling me "knave" and "traitor," at

every word; the which, for that he had done it unto her majesty, unto her honourable lords, and unto my own face, I desired their honours to give me patient hearing, protesting that I would say nothing but that which proceeded from my very heart, hoping some honourable or useful minded man would inform her majesty of my loyalty, there truly professed; which was (as I took God unto witness), that,] Never in my life I ever invented any treason, never committed any treason, nor ever gave any consent unto any treason; but have always, do daily, and, God assisting me, will pray for her majesty's prosperous success, and for the happy estate of my country. I have been evermore ready to sell my lands, spend my goods, and hazard my life to utter peril, in the defence of them all; and I take God unto witness, I would offer my blood most willingly to be shed, either by Mr. Topcliffe, his fellow Jones, or to any other bloodsucker whatsoever, to preserve her majesty and my country from all peril and danger.

But, my lord, Mr. Topcliffe seeing that his threatenings would do no good, he brought Atkinson and me face to face, before Mr. Attorney, where I charged Atkinson, as he would answer, at the dreadful day of judgment, for the shedding of my innocent blood, to tell a truth, whether ever he saw Mr. Curry, the jesuit, to say mass, or he ever heard mass, or I served at any altar, in my house, in his life: and he, before Mr. Attorney, denied the same. The other two he faintly affirmed; for which Mr. Topcliffe dismissed him from Bridewell, and sent him to the Gatehouse, where Jones had always access unto him; and Mr. Topcliffe weekly sent for him, to confirm him in this their most unconscionable practice, until it was the eighth of October, in 1594, when Mr. Topcliffe thought to effect his promise (unto Nicholas Jones) of my lands, by my arraignment, and brought this Atkinson to affirm this before Mr. Attorney, Mr. Sergeant Drew, Mr. Sergeant Daniel, Justice Young, and himself: where Atkinson, upon his knees, denied the whole confession, and told the threatenings they used to him, to acknowledge the same. But they, being ashamed of Mr. Topcliffe's bad practices, sent Atkinson back again to the Gatehouse, where Mr. Topcliffe would not permit him to be long; but, to be revenged hereof, he found means that, the twenty-fifth day of January following, Atkinson was again committed to Bridewell, where he lived not the space of five weeks, but was dead and buried. I trust his soul be with God. I pray God, Mr. Topcliffe, it crieth not, *vindica sanguinem meum* unto God, against you, for his untimely death.

Mr. Topcliffe seeing that Atkinson had denied all his forced confession before the queen's learned counsel, and published his lewd practices, he had no other refuge but to fly now to Michael Thompson,

which he called Michael of the Mount. Him he caused to be sent for, Mr. Topcliffe writing his letters unto a justice of the peace in Hampshire, saying, that I was in the Tower for high-treason against her majesty's person, and that Thompson should be bound to curse the time that ever he knew me. Thompson, being apprehended by force of the justice's warrant, was delivered by the justice unto three men and a constable (giving them in charge to look unto him, as they tendered the state of the whole realm, and caused them to ride with guns charged with bullets), and so to bring him up to Mr. Topcliffe, before whom when he came, Mr. Topcliffe commanded all men out of his chamber, and then asked Michael Thompson, if he knew not one Atkinson? He said, Yes. Then Mr. Topcliffe demanded if he knew not one Mr. Parker, alias Stanny, one Jetter, one Curry, alias Castell? —to which he protested he knew no such men. Whereat, Mr. Topcliffe swore, by God's Body, he lied, and that they were three seminary priests, and all used to his master's house, and he knew them, and, if he would not confess the knowledge of them, he would cast him into prison, where he should lie until he rotted. This nothing terrifying Thompson, he shewed him Atkinson's confession, and promised him that, if he would confirm the same, he would give him three of my best milch kine, my best gelding, and double his substance whatsoever it were. He answered, upon his faith, it was most untrue; and, therefore, he could not confess it. Then Mr. Topcliffe desired him to confess it, only to satisfy his mind; and, as he was a gentleman, Mr. Topcliffe said he should never come face to face unto me, to justify it, and that it should neither hurt him nor me. Whereunto Thompson said, to satisfy his mind he might say it; but, if ever he came to my face, he would testify the contrary: and then Mr. Topcliffe bad [him] keep his own counsel, "and as for Topcliffe," said he, "assure thyself, he can, and will, keep counsel." After this, he committed Thompson to Nicholas Jones, who carried him to one William Taylor's house, Mr. Topcliffe's man, where, the second night after, at ten of the clock, Jones brought Thompson to Mr. Topcliffe's chamber, where he fell of such a trembling, that his teeth chattered in his head, and Mr. Topcliffe asked him, if he had an ague (perceiving, indeed, his grudge of conscience), and speedily after dismissed him into the country, in Candlemas term.

Atkinson being dead, Mr. Topcliffe sent again for this Michael Thompson, and would have had him to have written Atkinson's confession with his own hand; but he denied it: whereupon, Mr. Topcliffe committed him to Stannardine Passy, to be carried before Mr. Dean of Westminster, to have him to affirm it before him. Mr. Dean com-

manded Passy to read the same, and asked Thompson if it were his confession; and he denied the principal points thereof: whereupon Mr. Dean willed Passy to carry him back again unto Mr. Topcliffe, and to tell him, that it was a shame to urge men's consciences, to enforce them to say more than voluntarily they would confess, "and, therefore, tell Mr. Topcliffe to put out what Mr. Thompson misliketh, and bring it unto me," saith he, "and I will put my hand thereunto." But Mr. Topcliffe, hearing Mr. Thompson denied, put up the confession, without any amends, and bade Thompson go his way home. Thompson departing was never quiet in mind, but said, he thought he should have run out of his wits, until he writ divers letters unto the lords of the council and commissioners, denying of Atkinson's confession; and, at Michaelmas term, 1595, came to London, to justify my cause before the lords of the council; the which Mr. Topcliffe hearing of, caused one Collins, an attorney in the King's Bench, to arrest him in Paul's, the which staying of him, to come to Mr. Topcliffe, without any warrant, my brother Slegg gave his word, that he should come before any of the council, when Mr. Topcliffe would; and Thompson writ a letter to Mr. Topcliffe, to the same effect; but Mr. Topcliffe, fearing his coming before the council, caused the aforesaid Collins and a minister to arrest him, and to bring him to the court, where Mr. Topcliffe, making his complaint to sir Thomas Puckering, late lord keeper, got his warrant, to commit him prisoner close to the clink: where, the summer following, Mr. Topcliffe, thinking to terrify him, brought him before my lord chief justice, when he justified[1] all Mr. Topcliffe's bad practices, and declared his proffers to my lord, before Mr. Topcliffe's face, and is now prisoner in the clink, ready to testify all this which I have said to be most true. * * * *

Mr. Topcliffe also threatened one Mr. Grey, an old priest of the age of fourscore, to put irons upon his hands, laying the irons before his face, and threatened to lay him upon the bare boards, if he would not accuse me of that, Mr. Topcliffe charged me withal; unto which, for fear of these threatenings, he set his hand; and afterwards, being committed to the Marshalsea, there, before Edy, Mr. Bellamy, and Mr. Webster, laying his hand upon a bible, swore that he confessed it for fear of Mr. Topcliffe's threats, and bade them to bear witness thereof, and also confessed the same before my lord keeper, that now is, and Mr. Francis Flower, before Mr. Topcliffe's face.

Mr. Topcliffe also apprehended one John Harrison, another man of mine, and, because he would have colour to apprehend him, he laid to

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[1] i. e. *proved.*

his charge that he was a seminary priest, although he kept Jane Harrison, his wife, twenty-three weeks in Bridewell, till she was almost starved, and that he was commanded by my lord treasurer to dismiss her, being great with child. * * * * This supposed priest Mr. Topcliffe carried to my lord of London's, and, after examination, because he would not accuse me most wrongfully, as Mr. Topcliffe would have him, Mr. Topcliffe took a cord, and bound his hands together, and, holding the other end in his own hand, he drew him after him through the street, in that shameful order, unto Bridewell, and there commanded to lay irons upon his hands, and that he should have no bed to lie upon: so as, through the cold he took, and, though suing oft for his liberty, being often crossed by Mr. Topcliffe, he in the end died in prison, leaving a wife and three poor fatherless children behind him. And this is the third person dying in this bad cause, by Mr. Topcliffe's means. [Whereupon my lord and justice Fenner said I urged matters too much against Mr. Topcliffe, being such a member for the state; and that it made my matter to have the less favour; and bade me go forward to the matter of my endictment.]

Thus, my lord, he drove off two years and three quarters, upon the proof of these old matters; unto all which I answered most truly, and acquitted myself so clearly, that the commissioners themselves were daily ready to testify my innocency, and Mr. Attorney did clear me of most of these matters before the lords of the council. Mr. Topcliffe, seeing that I was ready to be delivered, thought it would redound unto his great shame, if I should, after so long time, escape his hands, especially for that he had said unto me, before sir Richard Sweetly and others, that he never took any papist in hand but he brought him to the gallows, or kept him in perpetual prison. He likewise had published me to her majesty to be as notorious a traitor, as ever was born under her majesty: he had laid fourteen articles of treasons and felonies against me at the council table, laying his hand thereupon, and swearing he would never more come thereat, if he did not prove them all against me, before Michaelmas day next following, which now shall be four years; therefore, that I should not, to his so great shame escape him, he inventeth matter, supposed to be committed by me during the time of my close imprisonment, which he would effect after this sort, by the help of one Nicholas Blackwell, a poor and needy fellow, who daily came to Mrs. Wiseman, to go on errands for her, of whom, Mrs. Bellamy, and myself, he received daily his dinner, and carried home with him as much as found his household. This Blackwell, seeing Mrs. Bellamy one day to make a searcloth, for that she had skill in surgery, told unto her that there was one Mr. Buckly, a gentleman and country-

man of his, who was a catholic, and had hurt his leg in the country, and putting on a strait boot it increased it, and now, if he should go to a surgeon, he would pick out a great deal of money out of his purse; desiring her to look thereupon. She agreeing thereunto, the next day, Blackwell, towards night, brought this Mr. Buckly to Mrs. Bellamy, which was the third of January, 1596. She dressing his leg, the salve made his wound so grievously to smart, that he could scarce stand thereupon; wherefore Blackwell, seeing that it was impossible for him to go home to his lodging, desired that the said Mr. Buckly might lie with me; the which I denied, saying, I durst not, without my keeper's consent. Whereupon Blackwell went into the lower rooms, and presently came up again, and said, the keeper willed that Mr. Buckly should lie with me; unto which, although against my will, I consented, being loath to offend my keeper, whom I had thought to have willed it. The next morning, Blackwell brought a bottle of wine, meat, and bread, of Mr. Buckly's charge; and so we all dined together. After dinner, Mr. Buckly went away with Blackwell; since which time I never saw him.

About midsummer following, Blackwell told Mrs. Wiseman that now he, the said Blackwell, was a catholic. She demanded of him, who made him one?—and he said Mr. Buckly, whom he brought to Mrs. Bellamy, for to cure a sore leg. Mrs. Wiseman asked what he was; and Blackwell said, he was a priest and a friar; and he and two priests more said mass at his house, that day; and to-morrow he would bring his church stuff, and the said Mr. Buckly should say mass there. Whereupon Mrs. Wiseman said, "if he be a friar and a priest, [be] not so hardy, for thy life, to bring him hither; for," said she, "I have promised unto Mr. Pickering, my keeper, that I will bring no person of danger hither, to endanger his house:"—And thus much, my lord, she and Mrs. Bellamy did verify, before your lordship, Mr. Attorney, and Mr. Solicitor to Mr. Topcliffe's face, this time twelvemonth, when your lordship gave credit unto it, and would not permit this lewd fellow to testify this untruth to his mistress' face; and then Mr. Solicitor promised unto her, that he would warrant her for having any harm.

After this, Blackwell went away discontent, and came seldomer; yet, not having that which Mr. Topcliffe expected, he came, and brought (for baits to entrap us) sometimes beads, sometimes grains and medals, sometimes church stuff, to sell; and, seeing we would not bite at any of these baits, upon St. Andrew's day, he brought a book of pardons, thinking thereby to entrap us; and, standing in Mrs. Wiseman's window, which looked into Mr. Topcliffe's chamber, Mr. Topcliffe being in his window, he was importunate with me to take the book into my

chamber, and to write out the same, or else to read it. I refusing it, he said there was no good catholic in England, but would be glad to receive the profit thereof: but Mrs. Wiseman, perceiving the device, and seeing Mr. Topcliffe often at his window, winked upon me, not to take the book. For the device, my lord, was this. If I had taken the book into my chamber, he had made a sign unto Mr. Topcliffe, and Mr. Topcliffe had come, and taken the book in my hands, which had been treason by statute; and so, he would have prosecuted my life, and, consequently, have had my living for Nicholas Jones, according to his promise. But I refusing the book, Blackwell departed, and within ten days after, caused Stannardine Passy to be apprehended before our faces, by Mr. Topcliffe, who in our hearings said, now he had met our Mr. Passy, and how he was a traitor, for suffering mass to be said in the new house, and priests to lie with Barnes. Very shortly after this, he caused Mr. Buckly to be apprehended, and yet, thinking we had not known it to have been done by him, upon Shrove Tuesday following, he brought a letter to the Gatehouse, to his mistress, and would not bring it up himself, but delivered it unto a poor man, desiring him to deliver the same to Mrs. Wiseman from him, saying he durst not come to deliver it himself, for fear of Mr. Topcliffe. [Here Mr. justice Fenner said, I laid many subtle practices to be done by Mr. Topcliffe, but it did but make my cause to be the worse, to speak against so good a statesman, and it would hurt my cause the more. I said I spake but a truth, and nothing so much as he had practised against me; and, as for this letter, it was a pestilent practice, to take our lives from us for this Mr. Buckly, as I would make it manifest: for] This letter being brought to Mrs. Wiseman from Blackwell, this was the contents thereof;—"Your Mr. Passy hath betrayed my good friend, Mr. Buckly, and me, and us all; and now I must be driven to fly for a time,"—desiring Mrs. Wiseman to pray for his wife, that God would send her a christian soul, and to consider his want. The conceit of this letter was, my lord, to have us to consent unto his flight, and to relieve him to that end; whereby he meant farther to accuse us, and to make us, too, guilty of all that, which he had falsely accused us of. But, considering the phrase and contents of the letter, we knew, by the phrase, the letter to be of Mr. Topcliffe's endicting, by his own phrase of "*your Mr. Passy,*" used unto us before: and presently we delivered the letter to Mr. Parlour, to be carried unto Mr. Wade; whereat Mr. Topcliffe was exceeding angry. And, the next day, he sent for Mr. Parlour, and asked him, why he could not bring the letter to him as well as to carry it to Mr. Wade? Mr. Parlour answered, he was at his door with it, but he was not at home.

Topcliffe demanded if he took not a copy thereof, the which Mr. Parlour shewed unto him. Then Mr. Topcliffe demanded what we said or thought of the letter? Mr. Parlour said, we said it certainly to be Mr. Topcliffe's invention against us; for we knew it by his phrase of "*your Mr. Passy*," and the rest. Mr. Topcliffe swore that he never saw that paper before; which indeed, my lord, was true, for it was the paper written by Mr. Parlour: but his tongue presently uttered the conceit of his heart; for presently he said to Mr. Parlour, " .... her, for a subtle old fox. How subtle she is! But yet, as subtle as she is, she might have been overreached;"—which, indeed, my lord, had been very true: for, if, by his invention, she had concealed this letter, and given content and relief for Blackwell's flight, Mr. Topcliffe had overreached her indeed. So, the next day, Mr. Topcliffe came to the Gatehouse, and commanded us all close prisoners; where I remained until Midsummer following, often suing unto the lords of the council for my deliverance. In the end, my lord treasurer said, it was a shame unto the whole state, to detain men in prison so long, without trial or deliverance; and sir Robert Cecil, looking upon my petition, said, they could not in honour deny it, being so reasonable: whereupon, seven of their honours signed it unto the queen's council, to take bail of me, if they found no other cause to the contrary; the which Mr. Topcliffe seeing they had set their hands thereunto, he endorsed, upon the back of my petition, all his causes he had laid against me, and this, concerning the supposed relieving of Mr. Jones (urging it above all the other), and delivered my petition, to be carried unto Mr. Attorney and the rest of her majesty's learned council; by virtue whereof, I was called before them, and they spending the whole morning about this matter, in the end, they all adjudged me to be discharged out of prison, and, sending in for a friend of mine, told him, they had spent the whole morning in discussing my cause, and although they feared I was culpable in some matters, both before my commitment, and also since my close imprisonment, yet they said it was her majesty's gracious will and disposition, that I should not be strictly dealt withal: and having discussed my matter at the full, they all adjudged me to be bailed, and bade him bring bail, the next day, and I should be delivered out of prison; willing me to take more heed hereafter.

The next day, I bringing bail, Mr. Topcliffe, having understanding of their resolution, came thither, and, falling from the matter, he fell of accusing me for giving money to sir Robert Cecil and to Mr. Attorney, and brought this Blackwell to testify the same, who, in all their presence, swore, as he hoped to be saved, he told nothing but a truth; and first said I had given fifty pounds to sir Robert Cecil, and other

fifty pounds to Mr. Attorney, for their good wills, to further my liberty; the which when I heard him to affirm so impudently, and to testify by oath so falsely, I protested, upon the salvation of my soul, that he said most untruly, and that Mr. Attorney could well testify whether ever he received any penny of me: and Mr. Attorney, striking himself upon the breast, turning to Mr. Solicitor, said,—"Mr. Solicitor, I take God to witness, I never had any penny of him in my life." Then I said, "You may see what a fellow this is, who sticketh not to affirm such an untruth by oath, before your worships." Then Mr. Solicitor said, "Thou bad fellow, how could he come to give money unto Mr. Attorney, when he was a close prisoner?" He, being thereat amazed, at last said, I sent it him; and being demanded by whom, he said "by his brother, Slegg," who being in the house, I requested he might be called; and, coming before them, he protested upon his truth, he never gave one pennyworth unto either of them. Then Blackwell had no other shift but to say I had told him so; and Mr. Solicitor asked him who heard me to tell him so? He said, Mrs. Wiseman and Mrs. Bellamy; the which both certified to Mr. Attorney the contrary, the same day. * * *

All this Mr. Solicitor, now in Mr. Attorney's absence, you can justify to be true; and you know, in your conscience, it to be so; and, therefore, you of the jury are to consider hereof:—But, because Mr. Topcliffe promised to prove all this to be true, in Michaelmas term, and other matters against me, I was again committed to the Gatehouse, until Michaelmas term; and Michaelmas term coming, he let it pass, without any further accusing me. The term being ended, I sued again to the lords, that, according to their former order, I might be bailed. Then my lord treasurer bade Mr. Wade to go to Mr. Attorney, and will him to certify, if I were bailable; that their lordships might take order for me. Mr. Topcliffe, seeing this, being assured that they would certify for my deliverance, because they had adjudged me so before, to prevent their certificate, he requested that he might have Candlemas term, to try me in; the which being granted, he let that term pass, until the last day, at which time, I writing a letter unto your lordship for the ending of my suits in law, now depending seven years in this court, the which letter Mr. Topcliffe having intelligence of, he preferred an endictment against me, the very last day of the term, when I could have no trial, only of that matter whereof I had been adjudged, by all the queen's learned council, to be discharged out of prison; and by no other witness than by this needy fellow, who hath falsely accused many other for the same person and cause, and all discharged by the commissioners;—discrediting him, a common cozener of every one; cozening

his own mistress (Mrs. Wiseman) and Mrs. Bellamy of 3*l.* 12*s.*, which they gave him, to pay for linen cloth to one Denis, a draper. He spent the money, and left them so much in the merchant's book, where it is unpaid.

Likewise he cozened one Mr. Walker out of a cloak, which was given him to exchange, and money also to exchange the same: he spent the money, and sold his cloak, and Mr. Walker demanding the same, he accused him for a recusant, and caused him to be cast into the Gate-house.

To Mr. Walker's father he came, and proffered him to take a chamber in the said Blackwell's house, saying, he should there hear mass daily. He refusing his proffer, for the danger thereof, he accused him for relieving Mr. Jones with a piece of gold. Mr. Walker coming before Mr. Attorney and you, Mr. Solicitor, unto whom he swore that he knew not this Mr. Jones, you gave credit unto him, and dismissed him. He telling Blackwell's proffer to hear mass daily in his house, Blackwell justified it, and said, he did it that he might apprehend him, as he had done Buckly, the priest.

He likewise accused Mr. Dr. Friar that he kneeled and asked Mr. Jones's blessing, and Thomas Peacock that he had relieved the said Jones, and had one hundred masses said in his houses. Doctor Friar denying it upon his oath, and Peacock also, before you, Mr. Solicitor, and Mr. Attorney, they were both delivered, to his great discredit.

He accused the wife of James Ducket to Mr. Wade, for persuading his own wife to refuse to come to church. She taking her oath that she never saw his wife but once, Mr. Wade accounted him a lewd fellow, and discharged her.

He cozened one Mr. Clarke, a great benefactor of his, whom, about four years since, he got discharged out of prison, and, upon the promise to give him forty shillings a year, he promised to keep him out; [but] he failing of the payment one half year, he caused him to be again committed to the Clink, where he was kept close; and, upon the giving of forty shillings to Nicholas, he got him liberty of house; and then, for forty shillings more at one time, and three pounds at another, he promised him his full liberty: but there he lay, until the commissioners, taking compassion upon him for his infirmities, dismissed him.

Many other cozening pranks he hath played; but these are sufficient unto you of the jury, to prove the insufficiency of the man. So as he, being a needy and beggarly fellow, and one that no doubt is corrupted, as many other, hath, by Mr. Topcliffe, [been] drawn to testify untruth against me (as I have directly proved); he being easily persuaded, for reward, to swear any untruth, by reason of his poverty; measuring his

conscience always by his commodity; a man discredited by all the commissioners (they discharging all whom he falsely accused for receiving Mr. Buckly, as you have heard, and giving him money, but only Mrs. Wiseman and myself, whom Mr. Topcliffe only persecuteth), a man being a protestant at the time of his bringing of Mr. Buckly thither, then, hoping to make a gain, by harbouring of priests and dealing for catholics, he altered his religion and became a catholic: they worthily forsaking him for his cozenage of every man, and for his lewd life, he, being thereby grown so far in debt as he durst not walk the streets, for fear of arresting, had no other refuge to fly unto, but to run unto Mr. Topcliffe, that, covering himself under his protection, under colour to do service for her majesty, by apprehending those persons which before he had harboured, and falsely accusing of catholics, none durst now arrest him: so as, now he altered again his religion, and became a protestant; so as you which are here of the jury are to consider, that he, which in no religion hath been true unto God and his own conscience, but altereth upon every light occasion proffered, a perjured person as I have here manifestly proved, acknowledging himself to have been a harbourer of priests, whereby he is in state of felony, and, yet more, accusing himself that he was reconciled by a priest, whereby he hath confessed himself to be a traitor; and yet to go unpunished; * * * now serving for no other service, but to be used for an instrument for the shedding of this our innocent blood, and especially produced by him (Topcliffe), who, by so many subornations of some, fair promises of enlargement out of prison unto others, threatenings of others, hath sought my blood by all these indirect means (made manifest unto the lords of the council, and well known to the commissioners),—that he hath sought, I say, my innocent blood, as a sufficient satisfaction of his own revenge, and my living, to disburthen himself of his untolerable load of Jones, his wife, and his children, unto whom he hath promised it above six years since, as I have directly proved before the lords. I hope this lewd man cannot in your conscionable censure, be taken for a sufficient testimony against me. * * * *

No. XXXVIII.—(*Referred to at page* 116).

An Act to retain the Queen's Majesty's subjects in their due obedience.

[Stat. 35 Eliz. c. 1.]

For the preventing and avoiding of such great inconveniences and perils, as might happen and grow by the wicked and dangerous practices of seditious sectaries and disloyal persons, Be it enacted by the queen's most excellent majesty, and by the lords spiritual and temporal,

and the commons in this present parliament assembled, and by the authority of the same, that, if any person or persons above the age of sixteen years, which shall obstinately refuse to repair to some church, chapel, or usual place of common prayer, to hear divine service established by her majesty's laws and statutes, in that behalf made, and shall forbear to do the same, by the space of a month next after, without any lawful cause, shall, at any time after forty days next after the end of this session of parliament, by printing, writing, or express words or speeches, advisedly or purposely practise, or go about to move or persuade any of her majesty's subjects, or any other within her highness' realms or dominions, to deny, withstand, and impugn her majesty's power and authority in cases ecclesiastical, united and annexed to the imperial crown of this realm, or, to that end or purpose, shall advisedly and maliciously move or persuade any other person whatsoever to forbear or abstain from coming to church, to hear divine service, or to receive the communion according to her majesty's laws and statutes aforesaid, or to come to, or to be present at, any unlawful assemblies, conventicles, or meetings, under colour or pretence of any exercise of religion, contrary to her majesty's said laws and statutes; or if any person or persons, which shall obstinately refuse to repair to some church, chapel, or usual place of common prayer, and shall forbear, by the space of a month, to hear divine service, as is aforesaid, shall, after the said forty days, either of him or themselves, or by the motion, persuasion, incitement, or allurement of any other, willingly join in, or be present at, any such assemblies, conventicles, or meetings, under colour or pretence of any such exercise of religion, contrary to the laws and statutes of this realm, as is aforesaid; that then every such person so offending, as aforesaid, and being thereof lawfully convicted, shall be committed to prison, there to remain without bail or mainprize, until they shall conform, and yield themselves to come to some church, or chapel, or usual place of common prayer, and hear divine service, according to her majesty's laws and statutes aforesaid, and to make such open submission and declaration of their said conformity, as hereafter in this act is declared and appointed.

Provided always, and be it further enacted by the authority aforesaid, that, if any such person or persons, which shall offend against this act, as aforesaid, shall not, within three months next after they shall be convicted for their said offence, conform themselves to the obedience of the laws and statutes of this realm, in coming to the church, to hear divine service, and in making such public confession and submission, as hereafter in this act is appointed and expressed, being thereunto required by the bishop of the diocese, or any justice of the peace of the

county where the same person shall happen to be, or by the minister or curate of the parish, that, in every such case, every such offender, being thereunto warned or required by any justice of the peace of the same county where such offenders shall then be, shall, upon his and their corporal oath, before the justices of the peace in the open quarter sessions of the same county, or at the assizes and gaol delivery of the same county, before the justices of the same assizes and gaol delivery, abjure this realm of England, and all other the queen's dominions, for ever, unless her majesty shall license the party to return; and thereupon shall depart out of this realm, at such haven or port, and within such time, as shall in that behalf be assigned and appointed by the said justices, before whom such abjuration shall be made, unless the same offender be letted or stayed by such lawful and reasonable means or causes, as by the common laws of this realm are permitted and allowed, in cases of abjuration for felony; and, in such cases of let or stay, then within such reasonable and convenient time after, as the common law requireth, in case of abjuration for felony, as is aforesaid: and that the justices of peace, before whom any such abjuration shall happen to be made, as is aforesaid, shall cause the same presently to be entered of record before them, and shall certify the same to the justices of assizes and gaol delivery of the county, at the next assizes or gaol delivery, to be holden in the same county.

And if such offender, which, by the tenour and intent of this act, is to be abjured, as is aforesaid, shall refuse to make abjuration, as is aforesaid, or, after such abjuration made, shall not go to such haven, and within such time as is before appointed, and from thence depart out of this realm, according to this present act, or, after such his departure, shall return or come again into any her majesty's realms or dominions, without her majesty's special license in that behalf first had and obtained, that then, in every such case, the person so offending shall be adjudged a felon, and shall suffer as in case of felony, without benefit of clergy.

And furthermore be it enacted by the authority of this present parliament, that, if any person or persons, that shall at any time hereafter offend against this act, shall, before he or they be so warned or required to make abjuration, according to the tenour of this act, repair to some parish church, on some Sunday, or other festival day, and then and there shall hear divine service, and, at service time, before the sermon, or reading of the gospel, make public and open submission and declaration of his and their conformity to her majesty's laws and statutes, as hereafter in this act is declared and appointed, that then the same offender shall thereupon be clearly discharged of and from all and every

the penalties and punishments inflicted or imposed by this act, for any of the offences aforesaid: the same submission to be as hereafter followeth, that is to say,

I, A. B. do humbly confess and acknowledge that I have grievously offended God, in contemning her majesty's godly and lawful government and authority, by absenting myself from church, and from hearing divine service, contrary to the godly laws and statutes of this realm, and in using and frequenting disordered and unlawful conventicles and assemblies, under pretence and colour of exercise of religion: and I am heartily sorry for the same, and do acknowledge and testify in my conscience, that no other person hath, or ought to have, any power or authority over her majesty: and I do promise and protest, without any dissimulation, or any colour or means of any dispensation, that from henceforth I will, from time to time, obey and perform her majesty's laws and statutes, in repairing to the church, and hearing divine service, and do my uttermost endeavour to maintain and defend the same.

And that every minister or curate of every parish, where such submission and declaration of conformity shall hereafter be so made by any such offender, as aforesaid, shall presently enter the same into a book, to be kept in every parish for that purpose, and, within ten days next following, shall certify the same in writing to the bishop of the same diocese.

Provided nevertheless, that, if any such offender, after such submission made as is aforesaid, shall afterwards fall into relapse, or eftsoons obstinately refuse to repair to some church, chapel, or usual place of common prayer, to hear divine service, and shall forbear the same, as aforesaid, or shall come or be present at any such assemblies, conventicles, or meetings, under colour or pretence of any exercise of religion, contrary to her majesty's laws and statutes, that then every such offender shall lose all such benefit as he or she might otherwise, by virtue of this act, have or enjoy, by reason of their said submission, and shall thereupon stand and remain in such plight, condition, and degree, to all intents, as though such submission had never been made.

And for that every person, having house and family, is in duty bound to have special regard to the good government and ordering of the same, be it enacted by the authority aforesaid, that, if any person or persons shall at any time hereafter relieve, maintain, retain, or keep in his or their house or otherwise, any person which shall obstinately refuse to come to some church, chapel, or usual place of common prayer, to hear divine service, and shall forbear the same by the space of a month together, contrary to the laws and statutes of this realm, that then every person, which shall so relieve, maintain, retain, or keep any

such person offending as aforesaid, after notice thereof to him or them given by the ordinary of the diocese, any justices of assizes of the circuit, or any justice of peace of the county, or the minister, curate, or churchwardens of the parish where such person shall then be, or by any of them, shall forfeit to the queen's majesty, for every person so relieved, maintained, retained, or kept, after such notice as aforesaid, ten pounds for every month, that he or they shall so relieve, maintain, retain, or keep, any such person so offending.

Provided nevertheless, that this act shall not in any wise extend to punish or impeach any person or persons for relieving, maintaining, or keeping his or their wife, father, mother, child, or children, wards, brother or sister, or his wife's father or mother, not having any certain place of habitation of their own, or the husbands or wives of any of them; or for relieving, maintaining, or keeping any such person, as shall be committed by authority to the custody of any, by whom they shall be so relieved, maintained, or kept; any thing in this act contained to the contrary notwithstanding.

And for the more speedy levying and recovering, for and by the queen's majesty, of all and singular the pains, duties, forfeitures, and payments, which at any time hereafter shall accrue, grow, or be payable, by virtue of this act, or of the statute made in the three-and-twentieth year of her majesty's reign, concerning recusants, be it enacted by the authority aforesaid, that all and every the said pains, duties, forfeitures, and payments, shall and may be recovered and levied to her majesty's use, by action of debt, bill, plaint, information, or otherwise, in any of the courts commonly called the king's bench, common pleas, or exchequer, in such sort, and in all respects as, by the ordinary course of common laws of this realm, any other debt due by any such person, in any other case, should or may be recovered or levied, wherein no essoin, protection, or wager of law shall be admitted or allowed.

Provided always, that the third part of the penalties, to be had or received by virtue of this act, shall be employed and bestowed to such good and charitable uses, and in such manner and form, as is limited and appointed in the statute made in the twenty-ninth year of her majesty's reign, touching recusants.

Provided also, that no popish recusant, or feme covert, shall be compelled or bound to abjure, by virtue of this act.

Provided also, that every person that shall abjure by force of this act, or refuse to abjure, being thereunto required as aforesaid, shall forfeit and lose to her majesty all his goods and chattels for ever; and shall further lose all his lands, tenements, and hereditaments, for and

during the life only of such offender, and no longer: and that the wife of any offender, by force of this act, shall not lose her dower: nor that any corruption of blood shall grow or be, by reason of any offence mentioned in this act; but that the heir of such offender, by force of this act, shall and may, after the death of every offender, have and enjoy the lands, tenements, and hereditaments of such offender, as if this act had not been made: and this act to continue no longer than to the end of the next session of parliament.

The Lords of the Council to the Archbishop, Dean, Ordinary, and Officials of the Diocese of Canterbury. August, 26, 1594.

[Wilkins, iv. 346.]

After our hearty commendations to your lordship and the rest. Whereas it is credibly informed, that there be sundry men's wives, dwelling within the diocese of Canterbury, that refuse to come to the church; and that sundry persons do entertain, keep, and relieve servants, and others that be recusants, contrary to the statute made in the last parliament; sithence which time it is likewise notified unto us, that many have shewed themselves rather more obstinate in divers parts of this realm, in matters of religion, than any ways more tractable or conformable; for as much as this matter doth very much import the true service of God, and the estate of her majesty and her realm, and, therefore, ought with the greater care and diligence to be looked into, we have, therefore, thought it expedient to send your lordship, in a schedule here enclosed, certain notes and directions for the more exact and orderly proceeding herein, subscribed by us and the clerk of the council, and do very earnestly require your lordship, &c., with all convenient expedition, to cause diligent enquiry to be made of all wives, servants, and other recusants, within your lordship's diocese and jurisdiction, according to the orders and directions prescribed in the said schedule, and to make perfect certificate thereof forthwith to us. So, not doubting, but your lordship will have that regard to the due execution hereof, as appertaineth, and as her majesty and ourselves do expect, we bid your lordship, &c., very heartily farewell. From the court at Windsor castle, the 26th of August, 1594.

Your lordship's, &c., very loving friends,

Joh. Puckering, C. S. T. Buckhurst.
W. Burghley. J. Wolley.
Essex. J. Fortescue.
C. Howard.

Notes and Directions sent with the foregoing.

[Wilkins, ibid.]

They shall first cause diligent inquisition to be made in every parish, what wives be recusants, and shall certify the names and dwelling-places of the husband and wife, and the condition and state of the husband, videlicet, knight, esquire, gentleman, &c. They shall cause also enquiry to be made, who keep or relieve any servants, or others, that be recusants, within their families, or under their commandment, contrary to the statute, the thirty-fifth of her majesty's reign; and, for the better knowledge thereof, they shall take strict order, that curates, churchwardens, or sidemen of every parish, do make request to every householder, man or woman, in her majesty's name, keeping any number of servants, men or women, above the number of ten, to notify the names of all the said servants; and all the names so delivered and put in writing, the said curate, churchwarden, or sideman, shall expressly require every the said servants to resort to the church, according to the law, and of the time of this request to keep a note in writing; likewise, after a month next after such request, the curate or churchwardens shall give notice to every one, that keepeth or relieveth any such servant, or other recusant, and hath not come to any parish church, or to usual place of common prayer, to hear divine service, but hath forborne the same, for the space of a month before such notice given, without any reasonable cause. And the order, which the said curate shall use in his admonition, hereafter followeth:—I, A. B. curate of the parish of C., do give notice unto J. S. that the servant of R. N. doth obstinately refuse to come to any church, chapel, or usual place of common prayer, to hear divine service, and hath forborne the same, by the space of a month together last past, contrary to the laws and statutes of this realm.

Jo. Puckering, C. S.
W. Burghley.
Essex.
T. Buckhurst.
Rob. Cecyll.
Jo. Wolley.
A. Achley.

END OF VOL. III.

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